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LEGISLATIVE HISTORY

Public Law 86-92

H. R. 2497

TABLE OF CONTENTS

Index and summary of H. R. 2497.....1

Digest of Public Law 86-92.....2

INDEX AND SUMMARY OF H. R. 2497

Jan.	14, 1959	Senator Church introduced and discussed S. 287 which was referred to Senate Committee on Interior and Insular Affairs. Print of bill and remarks of Senator Church.
Jan.	15, 1959	Rep. Pfost introduced H. R. 2497 which was referred to House Committee on Interior and Insular Affairs. Print of bill as introduced.
Mar.	9, 1959	House subcommittee reported H. R. 2497 to the full committee with amendment.
Mar.	18, 1959	House committee ordered H. R. 2497 reported with amendment.
Apr.	15, 1959	House committee reported H. R. 2497 with amendment. House Report 273, Print of bill and House Report.
May	4, 1959	House passed H. R. 2497 as reported.
May	5, 1959	H. R. 2497 was referred to Senate Committee on Interior and Insular Affairs. Print of bill as referred.
June	2, 1959	Senate committee voted to report H. R. 2497.
June	9, 1959	Senate committee reported H. R. 2497 without amendment. Senate Report 371. Print of bill and Senate Report.
June	12, 1959	Senate passed over H. R. 2497.
July	6, 1959	Senate passed H. R. 2497 without amendment.
July	17, 1959	Approved: Public Law 86-92.

DIGEST OF PUBLIC LAW 86-92

ADDITION OF LANDS TO BOISE AND PAYETTE NATIONAL FORESTS. Extends the boundaries of the Boise and Payette National Forests in Idaho to include lands owned or hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project. Such lands as are within the present boundaries of the Boise National Forest are made a part of that national forest. Provides that the lands added to the forests are to be administered as are other lands to which the Weeks Act and its amendments are applicable.

S. 287

A BILL.

86TH CONGRESS
1ST SESSION

S. 287

IN THE SENATE OF THE UNITED STATES

JANUARY 14, 1959

Mr. CHURCH introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To add certain lands located in Idaho to the Boise and Payette National Forests.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17; lots 1, 2, 3, and 4, the northwest quarter of the northeast

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quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township 14 north,

range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast quarter, the northwest quarter of the northeast quarter, and the north-

east quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

(b) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections

of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

SEC. 5. The Secretary of the Interior may sell, under such terms and conditions as he deems desirable, any lands acquired in connection with the Cascade Reservoir reclamation project which in his judgment are surplus to the needs of the project and are not described in sections 1, 2, and 3 of this Act.

86TH CONGRESS
1ST SESSION

S. 287

A BILL

To add certain lands located in Idaho to the Boise and Payette National Forests.

By Mr. CHURCH

JANUARY 14, 1959
Read twice and referred to the Committee on Interior and Insular Affairs

contributions because of other demands upon the Treasury. As a member of the Committee on Armed Services, I am painfully aware of the rapidly skyrocketing costs of defense in a period of onrushing technological developments. Defense costs are already enormous, and the prospects are that they will be steadily rising in the years immediately ahead. We ended the fiscal year 1958 with a Federal deficit close to $3 billion. In the current fiscal year, we have had a Federal expense budget of $80 billion and we are told on good authority that the deficit will approximate $12 billion. Under these circumstances, urban renewal will continue to be an inviting target for those searching for ways to cut the budget.

But if the States participate in the costs of urban renewal, there will be less inclination to reduce the Federal contributions below their present level, and State assistance in the effort to clean up slums and prevent the spread of urban blight will make possible a larger total program than otherwise could be carried out.

I urge you, gentlemen, when you return to your home States, to help bring about a greater public understanding of the need for urban renewal and redevelopment, and of the need for participation in its costs by all levels of government—State, as well as Federal and local.

ALLEVIATION OF UNEMPLOYMENT IN CERTAIN DEPRESSED AREAS

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in economically depressed areas.

This subject is not new to the Senate. A bill for this purpose, combining the features of several proposals, was passed by the Senate last year. It was considerably amended in the House—and in its final form was pocket-vetoed by the President on September 6, 1958.

The President's veto of S. 3683 hinged upon differences as to application and operation of such a program; there was no argument as to need. The administration has consistently urged the adoption of legislation to render economic assistance to areas of chronic unemployment.

The proposal which I submit today attempts to meet some of the President's objections, while at the same time insisting upon sufficient funds and scope to constitute an adequate program.

Mr. President, the need for such a program in the Commonwealth of Pennsylvania has not diminished in the past year. Unemployment has increased 10 percent on a statewide basis in the past month. Regional unemployment statistics for seriously affected areas in Pennsylvania, indicate sizable increases in unemployment, over a year ago, to as high as 16.8 percent of the labor force. These are not temporary maladjustments, but continuing problems of economic distress.

The greater part of our country is enpoying a high degree of prosperity, with indications that we will forge ahead to even greater business and economic recovery. For certain areas and communities to be caught in the backwash of this tide, through no fault of their own, is a threat to our way of life.

We need the active participation of every American citizen in our national welfare. We must extend to these areas of continued unemployment and underemployment the financial and technical assistance needed to put themselves back on the track of national prosperity and well-being.

Mr. President, I will not take up the time of the Senate for a long discussion of this subject at this time. I ask unanimous consnet that a brief analysis of the salient points of the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 268) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The analysis presented by Mr. SCOTT is as follows:

BRIEF ANALYSIS OF AREA REDEVELOPMENT BILL INTRODUCED BY SENATOR HUGH SCOTT

1. Authorizes appropriation of a total of $200 million for a revolving loan fund: $100 million for industrial areas; $50 million for rural areas; and $50 million for public facilities. This compares with $50 million provided in last year's administration bill, but is $75 million less than the bill vetoed. (The bill does not provide for outright grants for public facilities, a provision to which the President objected.)

2. Provides for maximum Federal loan participation of 50 percent; minimum State or local government participation of 10 percent; and minimum participation from nongovernmental sources of 5 percent. The President had objected to Federal participation in loans up to 65 percent in the bill vetoed.

3. Provides for loans for a period of 30 years, compared with the 40-year limit in the vetoed bill.

4. Places program under Department of Commerce which has primary responsibility for business and industrial development. Administrator will have Assistant Secretary status.

5. Authorizes the Secretary of Commerce to determine realistic rates of interest on all loans.

6. Authorizes loans to industrial areas with the following unemployment levels: 15 percent unemployment for 6 months; or 12 percent for 1 year; or 9 percent for 15 out of 18 months; 6 percent for 18 out of 24 months—preceding date of application. There are different criteria for rural areas and public facilities loans.

7. Contains a special urban renewal section to permit Housing and Home Finance Agency to give financial assistance to urban renewal projects in municipalities, without regard to the predominantly residential requirement.

8. Contains Davis-Bacon Act provision to assure prevailing rate of wage and 40-hour week on contracts under area redevelopment.

9. Authorizes technical assistance of $3.5 million for surveys and other evaluation studies.

10. Requires the State or its instrumentality to establish local redevelopment plans.

11. Establishes a Cabinet-level Advisory Board and 25-member Public Advisory Committee.

EQUALIZATION OF PAY OF RETIRED MEMBERS OF UNIFORMED SERVICES

Mr. GOLDWATER. Mr. President, on April 29, 1958, the Senate passed H.R. 11470, the military pay raise bill, which became Public Law 422. It was my opinion, at that time, as it is at the present, that the bill was inequitable in that it provided a different pay increase for retired officers than for those on active duty and who retired after enactment of the bill.

At that time this difference of award was discussed here on the floor, but I did not offer an amendment since I was fearful that it might jeopardize passage of the bill.

Last year I cosponsored S. 4207, designed to remedy the discrimination embodied in Public Law 422. Today I am introducing an identical bill, which provides that hereafter the retirement pay of those members of the armed services retired on or before May 31, 1958, shall not be less than that provided for members of the uniformed services of equal rank and length of service retired subsequent to that date.

Under Public Law 422, those retiring after June 1, 1958, from active status are paid under the traditional percent of current active duty pay. Thus, a major general or rear admiral with 30 years' service, retiring after June 1, 1958. draws his retired pay at 75 percent of the new active duty rate of $1,350 per month, as against the pay drawn by a major general retiring on or before May 31, which, allows only a 6-percent increase over the old retired pay of $807 a month. This amounts to $1,014 per month retirement pay for a major general or rear admiral now on active duty, who may not have commanded more than a battalion in war, as against a retired major general drawing $848 per month who commanded a division or task force during World War II and Korea.

Why there should be this disparity in award of compensation to retirees from the same services with the same ranks—based on only the discriminating factor that one retired on May 31, 1958, and the other retired on June 1, 1958? To me it is difficult to understand the reasons we are now penalizing the very men whose outstanding wartime leadership should entitle them to first consideration.

This bill completes the system of compensation advocated by the Cordiner report, carrying out the recommendation that retirement scales for all retirees be recomputed each time the pertinent laws are changed. It will offer the incentive needed to attract outstanding young men into the services, assuring them that their retirement programs will be kept abreast of current economic conditions. It has the support of the American Legion, the Veterans of Foreign Wars, the Adjutants General Association, the National Guard Association, the Regular Veterans Association, the Catholic War Veterans Association, the Jewish War Veterans of the United States, the Naval Reserve Association, the Veterans of World War I of the

United States, and numerous other service and veteran groups.

Only in this way can a fair and equal system of retirement be maintained.

I ask unanimous consent that the bill lie on the desk for 3 days, in order that other Senators interested in the subject may subscribe their names to it.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Arizona.

The bill (S. 269) to equalize the pay of retired members of the uniformed services, introduced by Mr. GOLDWATER (for himself and Senators BEALL, HOLLAND, MANSFIELD, MORSE, MURRAY, PASTORE, THURMOND, ENGLE, MUNDT, HUMPHREY, and Moss) was received, read twice by its title, and referred to the Committee on Armed Services.

CONSTRUCTION OF BURNS CREEK DAM, IDAHO

Mr. DWORSHAK. Mr. President, on behalf of myself, and my colleague, the junior Senator from Idaho [Mr. CHURCH], I introduce for appropriate reference a bill to authorize the construction of the Burns Creek Dam and powerplant in Bonneville County, Idaho. The bill which we introduce is identical in form with one considered by this body and passed in the 85th Congress. Unfortunately, the other body did not have an opportunity to consider it and it died at the expiration of the 85th Congress.

The bill in the form in which it is now introduced has been reported favorably upon by the Interior Department and by the Bureau of the Budget. The Burns Creek Dam and Reservoir and powerplant would be located on the Snake River in Bonneville County, Idaho, about 30 miles downstream from Palisades Dam. It would be integrated electrically, hydraulically, and financially with the existing Palisades reclamation project. The prime purpose of this development is reregulation of releases from Palisades, but in addition 100,000 acre-feet of its 234,000 acre-feet of reservoir capacity will be available for long-term holdover irrigation storage and a 90,000-kilowatt powerplant will be built. The holdover storage would in effect provide insurance water to be used during extreme drought periods. All of it has been contracted for use on the irrigated acres along the Snake River upstream from Bliss, Idaho, by the users who heretofore have contracted for Palisades water.

The reregulation of Palisades releases will make possible an integrated operation which will more than double the prime power output from the Palisades powerplant alone. A very favorable cost benefit ratio has been reported.

The bill has the virtually unanimous support of the water users, the power users and all other interested parties in the State of Idaho.

My colleague and I intend to urge the Interior Committee to hold hearings promptly so that action in this body can be concluded at an early date.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. CHURCH. I concur and subscribe wholeheartedly to the remarks of my distinguished colleague in the introduction of the bill. I am proud to sponsor it with him this year as I did in the last Congress. I know of no project which is so well able to stand on its own merits as this one, not only in terms of the supplemental irrigation benefits, but also in terms of the power it will produce, as well as in fiscal terms. It will not be a cost to the Federal Government. Rather, it will be an additional investment in the development of reclamation and related purposes which will more than repay the Treasury with interest, from power revenues alone, within a reasonable pay-out period. I hope the Senate will speedily pass the bill, as it did 2 years ago.

Mr. DWORSHAK. I thank the Senator.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 281) to authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the upper Snake River Valley, Idaho, and for other purposes, introduced by Mr. DWORSHAK (for himself and Mr. CHURCH), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONSTRUCTION OF AGRICULTURAL BUILDINGS

Mr. FULBRIGHT. Mr. President, on behalf of myself and the senior Senator from Minnesota [Mr. HUMPHREY] I introduce, for appropriate reference, a bill I consider important to the adequate and orderly development of our agricultural programs.

This bill would authorize the Administrator of General Services to carry out a program for the construction of county agricultural buildings in counties where agriculture is the predominant industry, and where Federal, State, and local offices administer programs involving the welfare of our farm population. The bill would authorize the Federal Government to contribute up to 30 percent of the construction costs of such buildings, and in unusual cases, when it is estabilshed that counties are unable to supply a full share of the construction costs, the Government would be authorized to contribute up to 50 percent.

Mr. President, in Arkansas agriculture is a predominant industry, and in many counties agricultural activities of the Federal, State, and local governments are conducted in buildings widely separated. As a result, farmers encounter difficulty in contacting the appropriate agencies with which agricultural problems may be discussed. This problem would be alleviated by enactment of this bill. Its outstanding feature would be the centralization of the various Federal, State, and local agricultural activities in one building.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD, and that the bill be permitted to lie on the table for a period of 1 week in order that other Senators, who may wish to join as cosponsors of this measure, will have the opportunity to do so.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Arkansas, and will be printed in the RECORD.

The bill (S. 282) to authorize the Administrator of General Services to assist in planning and financing the construction of county agricultural buildings, introduced by Mr. FULBRIGHT (for himself and Mr. HUMPHREY), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD.

(The bill (S. 282) will appear hereafter in the RECORD.)

ADDITION OF CERTAIN LANDS TO BOISE AND PAYETTE NATIONAL FORESTS, IDAHO

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, a bill to extend the Boise and Payette National Forests to include 4,155 acres of additional land on the west shore of the Cascade Reservoir, in Valley County, Idaho. These lands are now under the jurisdiction of the Bureau of Reclamation, of the Department of the Interior.

The purpose of the bill is to clear the way for development of the land as a recreational area; $75,000 is scheduled to be expended for this purpose within a 2- or 3-year period, as part of Operation Outdoors.

No extra funds or administrative expenses will be involved, as these improvements will come from money already budgeted.

The district is well adapted for such activities as camping, picnicking, boating, and fishing. The city of Cascade, Idaho, maintains the only picnic area on the reservoir; and the shoreline area is being used without adequate provision for sanitation, cleanup, or fire prevention.

I hope this measure will receive prompt action.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 287) to add certain lands located in Idaho to the Boise and Payette National Forests, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF ARTICLE 46, UNIFORM CODE OF MILITARY JUSTICE

Mr. THURMOND. Mr. President, recently there occurred in California an incident where a civilian attorney was seized by a Marine provost guard, armed with a warrant of attachment, and brought forcibly before a military court of inquiry. The details of this incident and the merits or demerits involved therein are not important for the purpose of my remarks. The incident demonstrated, however, the danger which lies in the use by the military of a war-

H. R. 2497

86TH CONGRESS
1ST SESSION

H. R. 2497

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 1959

Mrs. PFOST introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To add certain lands located in Idaho to the Boise and Payette National Forests.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17; lots 1, 2, 3, and 4, the northwest quarter of the northeast

quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township

14 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast

quarter, the northwest quarter of the northeast quarter, and the northeast quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

(b) The Secretary of Agriculture shall make available,

from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

SEC. 5. The Secretary of the Interior may sell, under such terms and conditions as he deems desirable, any lands acquired in connection with the Cascade Reservoir reclamation project which in his judgment are surplus to the needs of the project and are not described in sections 1, 2, and 3 of this Act.

86TH CONGRESS
1ST SESSION

H. R. 2497

A BILL

To add certain lands located in Idaho to the Boise and Payette National Forests.

By Mrs. PFOST

JANUARY 15, 1959
Referred to the Committee on Interior and Insular Affairs

A BILL

March 9, 1959

Both Houses received a Kan. Legislature resolution favoring continued development of the water resources of Kan. by Federal agencies, including this Department. pp. 3137-8, 3227

12. FORESTRY. Sen. Neuberger praised the work of the Forest Service, and certain of its employees, and inserted the 1958 annual report of the Williametter National Forest, Ore., and his letter commending this report. pp. 3171-3

13. RESEARCH. Received a Calif. Legislature resolution urging this Department to establish a soil and water conservation laboratory at the Davis Campus of the Univ. of Calif. pp. 3136, 3294

14. SALINE WATER. Received a R. I. Legislature resolution urging Interior to establish a saline water conversion plant at Newport, R. I. p. 3138

15. TEXTILES. Received a R. I. Legislature resolution commending Sen. Pastore for his efforts "with respect to the creation of a permanent textile interagency committee ... to deal with the problems and foster the interests of the ailing textile industry." p. 3139

16. WATER POLLUTION. Received a Fargo, N. Dak., Board of City Commissioners' resolution urging the enactment of legislation to establish an Office of Water Pollution Control. pp. 3140-1

17. LEGISLATIVE PROGRAM. Sen. Johnson listed a number of bills he hopes to have considered before the Easter recess, including: S. 50, providing for Hawaiian statehood; S. 726, providing for more expeditious enforcement of cease and desist orders under the Clayton Act; S. 722, the area redevelopment bill; and H. R. 2260, extension of the military draft. He stated that he did not know when a farm bill would be considered, but "once a farm bill is reported, it will take the highest priority, and we will try to get it up for consideration as early as possible." pp. 3160-1, 3210

HOUSE

18. AGRICULTURE COMMITTEE. Agreed as reported to H. Res. 93 authorizing the House Agriculture Committee to conduct certain studies and investigations within its jurisdiction. p. 3219

19. MILK. Reps. Johnson, Wisc., Laird, O'Konski, Byrnes, Gross, Blatnik, Quie, Nelsen, Kastenmeier, and Zablocki criticized the use of local milk sanitation regulations as being in some instances restrictive on the free flow of milk between areas and conducive to monopoly control of milk supply. They urged support for legislation prohibiting State and local health authorities from denying the entry of milk which qualifies under the U. S. Public Health Service's milk sanitation regulations. pp. 3232-42

20. AREA REDEVELOPMENT. Reps. Elliot, Flood, Anderson, Dent, Van Zandt, Saylor, Stratton, Morgan, Foley, Patman, Meyer, Slack, Staggers, Walter, Hechler, Oliver, Bailey, Jennings, Moore, Gray, O'Hara, Siler, Edmonson, Carnahan, Conte, and Kee urged enactment of area redevelopment legislation, and Reps. Gray and Kee inserted figures on the use of surplus foods in their areas. pp. 3243-56

21. ECONOMIC CONDITIONS. Rep. Curtis criticized the Joint Economic Committee Report on the President's Economic Report of 1959 for making no recommendation on balancing the budget, for "skirting the question of tight and loose money," and for "Misrepresenting" the President's interest in price stability as being "at

the sacrifice of economic growth and maximum employment," and scored Rep. Bowles' speech on economic growth. pp. 3257-65

Rep. Patman criticized the Federal Reserve for its "tight money and high interest" policies and for other matters which "call" for Congressional action. pp. 3279-86

22. CENTENNIAL CELEBRATION. Reps. Dixon, Avery, Jensen, and King commended the USDA and land grant colleges for their services since 1862, and endorsed legislation providing for the centennial celebration in 1962. pp. 3272-9

23. WATER POLLUTION. Rep. Dingell reviewed the pollution and dirt problem in the Missouri River. pp. 3286-8

24. FISH TRANSPORTATION. Both Houses received from Interior a proposed bill "to clarify a provision in the Black Bass Act relating to the interstate transportation of fish"; to Merchant Marine and Fisheries Committee, and Interstate and Foreign Commerce Committee. pp. 3133, 3291

25. FOREIGN AFFAIRS. Received reports on the use of foreign currencies -- counterpart funds -- by the Armed Services, Education and Labor, Foreign Affairs, Judiciary, Post Office and Civil Service , and Ways and Means Committees. pp. 3289-91

26. FORESTRY. The Public Lands Subcommittee of the Interior and Insular Affairs Committee reported to the full committee with amendment H. R. 2497, to add certain lands located in Idaho to the Boise and Fayette National Forests. p. D143

27. WILDERNESS PRESERVATION. Received a memorial from the New Mexico State Legislature urging Congress to reject passage of a bill establishing a national wilderness preservation system. p. 3294

28. COOPERATIVES. Received a petition from citizens of Washington State urging enactment of legislation "clearly and concisely establishing single tax liability upon patronage refunds of farmer cooperatives." p. 3295

ITEMS IN APPENDIX

29. FARM PROGRAM. Sen. Johnson commended and inserted an address by Rep. Cooley before the Nat'l Farm Institute, "The Place of Government in Agriculture." pp. A1848-50

Sen. Carlson inserted a newspaper article "The Farm Sale." pp. 1861-2

Extension of remarks of Rep. Jones, Mo., inserting a N. Y. Stock Exchange commodity letter classifying the various expenditures for agricultural programs and stating that "it takes issue with the vicious attack which has been made on agricultural programs by the urban press." p. A1904

Extension of remarks of Rep. Teague inserting a suggested plan of supplemental income payments for the purpose of providing parity for farm and ranch people which was prepared by Prof. L. P. Gabbard, of the department of agricultural economics and sociology of the A. & M. College of Texas. pp. A1938-40

30. 4-H CLUBS. Extension of remarks of Sen. Wiley saluting 4-H Club and Future Farmers of America programs. pp. A1854-5

31. STATEHOOD. Sen. Engle inserted his statement favoring statehood for Hawaii. pp. A1859-60

Rep. Pillion inserted his statement before the Rules Committee suggesting that the committee refuse to grant a rule on the Hawaiian statehood proposed bills. pp. A1910-3

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued March 19, 1959
For actions of March 18, 1959
86th-1st, No. 44

CONTENTS

Acreage allotments.8,46,51
Acreage history.....51
Appropriations.....25
Area redevelopment.9,24,33
ASC committees.....42
Banking and currency....52
Budget.....37
Civil defense.....16
Conservation.....18
Cooperatives.....23
Cotton.....8,32,46
Credit unions.....48
Economic conditions.....12
Electrification....1,19,30
Expenditures.....11
Farm income.....26
Farm loans.....15
Farm program.....31
Flood control.....19,36
Food bank.....22
Food storage.....22,28
Foreign aid.....13,35,41
Foreign trade.....47
Forestry.....4,18,29
Government corporations.....17,49
Guam.....20
Hall of fame.....40
Holidays.....38
Inflation.....3
Insecticides.....43
Lands.....18,37
Legislative program.....24
Military construction....5
Milk.....2
Monopolies.....10
Natural resources.....18
Oranges.....53
Patents.....44
Personnel.....38
Postal rates.....6
Price controls.....45
Prices.....3
Public Law 480.....5
REA.....30
Research.....20,43
Soil bank.....14
Special milk.....2
Statehood.....54
Textiles.....34
Transportation.....50
TVA.....19
Vehicles.....38
Water.....7
Water resources.....21
Watersheds.....36
Wildlife.....43
Wool.....27

HIGHLIGHTS: Senate committee reported bill to authorize rental of cotton acreage allotments. Senate committee reported area redevelopment bill. Rep. Roosevelt urged approval of legislation to expand special milk program. House committee ordered reported bill to give REA independent status. Rep. Reuss introduced and discussed bill to transfer Public Law 480 functions to State Dept. Sen. Fulbright introduced and discussed administration's mutual security bill.

HOUSE

1. ELECTRIFICATION. The Government Operations Committee ordered reported with amendment H. R. 1321, to amend Reorganization Plan No. 2 of 1953 regarding REA. p. D180

2. SCHOOL MILK. Rep. Roosevelt urged the House to approve additional funds for the special milk program. p. 4062

3. PRICES; INFLATION. Rep. Patman criticized the Federal Reserve System for instituting a tight money policy during a period of "administered prices," stating that tight money decreases classical inflation but is "not effective in checking price increases of this kind," and inserted several articles on the subject. p. 4077-9

4. FORESTS. The Interior and Insular Affairs Committee ordered reported with amendment H. R. 2497, to add certain lands located in Idaho to the Boise and Payette National Forests. p. D180

5. MILITARY CONSTRUCTION. The Armed Services Committee reported with amendment, H. R. 5674, to authorize certain construction at military installations including authorization to use foreign currencies under Public Law 480 for foreign military housing (H. Rept. 223). p. 4080

6. POSTAL RATES. The Postal Operations Subcommittee of the Post Office and Civil Service Committee ordered reported to the full committee with amendment H. R. 4595, to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural, and library materials. p. D181

7. WATER. Received from the Colorado Legislature a memorial urging the preservation and safeguarding of established state and individual rights regarding the use of water within the separate States. p. 4082

SENATE

8. COTTON ALLOTMENTS. The Agriculture and Forestry Committee reported an original bill, S. 1455, to authorize the rental of cotton acreage allotments (S. Rept. 115). p. 3943

9. AREA REDEVELOPMENT. The Banking and Currency Committee reported with amendments S. 722, to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in economically depressed areas (S. Rept. 110). p. 3943

10. MONOPOLIES. Passed as reported S. 726, to amend the Clayton Act so as to provide for more expeditious enforcement of cease and desist orders. pp. 4004-06

11. EXPENDITURES. Sen. Langer inserted a bulletin, "The Growth of Social Welfare Expenditures Under Federal Programs." pp. 3996-8

12. ECONOMIC CONDITIONS. Sen. Gore and others discussed "the serious economic problems with which our country is faced," including comments on interest rates on REA loans and the farm income situation. pp. 3980-91

13. FOREIGN AID. Sen. Mansfield stated that Congress should "take a very careful look" at the President's proposed mutual security program. pp. 4025-6

14. SOIL BANK. Received from this Department a report on the 1958 soil bank conservation reserve program. p. 3935

Received a local Farmers Union resolution urging that the actual production per acre over the last 10 years be used as a basis for county records to determine allotments and conservation reserve payments. p. 3942

15. FARM LOANS. Received from the Farm Credit Administration two proposed bills to: "Amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks" and "clarify the status of the Federal land banks, the Federal intermediate credit banks, and the banks for cooperatives and their officers and employees with respect to certain laws applicable generally to the United States and its officers and employees"; to Agriculture and Forestry Committee. p. 3935

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued April 16, 1959
For actions of April 15, 1959
86th-1st, No. 56

CONTENTS

Appropriations.....16
Area redevelopment.....2
ASC committees.....42
Budget.....19
CCC.....4,10,20
Civil defense.....27,38
Coffee.....45
Commodity exchange.....45
Contracts.....25
Cooperatives.....12
Cotton.....11
Credit unions.....35
Dairy products.....7
Economic advisers.....20
Eggs.....15
Electrification.....1
Expenditures.....19
Fair trade.....33
Farm program.....14,30,46
Food stamps.....39
Food storage.....31
Foreign aid.....26,28,40
Forestry.....3,21
Insecticides.....47
Interest rates.....8
Irrigation.....17
Lands.....29,37,44
Legislative program.....10
Military construction.....4
Milk.....12
Minerals.....37,44
Minimum wage.....9
Nominations.....20
Personnel.....22,34
Plants.....47
Potatoes.....32
Property.....36
Public Law 480.....4,10
Reclamation.....5
Research.....12,17
Roads.....21
Small business.....43
Sugar.....18
Surplus commodities.....41
Surplus foods.....23
Unemployment.....24
Unemployment compensation.....16
Water pollution.....6
Water resources.....13

HIGHLIGHTS: House passed bill to give REA Administrator authority over all loans. Senate passed bill to authorize rental of cotton acreage allotments. Senate ordered reported bills to: Provide industrial-use research, expand special milk program. House subcommittee voted to report area redevelopment bill. Sen. Symington urged Secretary to submit omnibus farm bill. Senate received nomination of Frank A. Barrett to be member of CCC board. Senate committee reported measure to establish committee to study water resources. Sen. Humphrey urged USDA program to purchase eggs. Sens. Symington and Humphrey introduced and discussed food stamp bill. Rep. Sullivan introduced and discussed bill to provide for regulation of futures trading in coffee.

HOUSE

1. ELECTRIFICATION. Passed, 254 to 131, as reported H. R. 1321, to give the REA Administrator additional authority. Then passed S. 144, a similar Senate bill, without amendment. This bill will now be sent to the President. pp. 5383-401

As finally passed, S. 144 provides that the functions and activities of REA and of the Administrator of REA which were transferred to the Department and to the Secretary by Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953 are transferred to the REA Administrator, to be exercised and administered within the Department by the Administrator under the general direction and supervision of the Secretary, except that insofar as such functions relate to the approval or disapproval of loans authorized to be made under the Rural Electrification Act of 1936, as amended, their exercise by the Administrator shall not be subject to the supervision or direction of, or to any other

control by, the Secretary.

Rep. Simpson criticized TVA for its awarding of a turbogenerator contract to a British firm and urged that the decision be reversed. pp. 5434-6

2. AREA REDEVELOPMENT. A subcommittee of the Banking and Currency Committee voted to report with amendment to the full committee S. 722, the Douglas area redevelopment bill. The amendment, in the nature of a substitute, reduces the original $389.5 million to $251 million, decreasing from $100 million to $75 million the amount of loans available to rural areas. p. 5420

3. FORESTS. The Interior and Insular Affairs Committee reported with amendment H. R. 2497, to add certain lands located in Idaho to the Boise and Payette National Forests (H. Rept. 273). p. 5436

4. MILITARY CONSTRUCTION. The Rules Committee reported a resolution for consideration of H. R. 5674, to authorize certain construction at military installations, including an authorization for use of Public Law 480 and CCC funds. p. 5436

5. RECLAMATION. The Interior and Insular Affairs Committee ordered reported without amendment the following bills: H. R. 1778, to amend section 17 (b) of the Reclamation Act of 1939 to defer payment of certain payments of construction costs by water users; and H. R. 839, to approve certain adjusting, deferring, and canceling of certain irrigation charges against non-Indian owned lands near the Wapato Indian irrigation project, Washington. p. D250

6. WATER POLLUTION. The Public Works Committee ordered reported with amendment H. R. 3610, to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works and to establish the Office of Water Pollution Control. p. D251

7. DAIRY PRODUCTS. The Administration Committee ordered reported a resolution to authorize printing of 5,000 additional copies of a report entitled, "Price Discrimination in the Distribution of Dairy Products." p. D250

8. INTEREST RATES. Rep. Patman criticized Administration monetary policies, particularly "high-interest rate policies." pp. 5421-7

9. MINIMUM WAGES. Rep. Thompson, N. J., urged an increase in the minimum wage, and criticized the Secretary for opposing such an increase. pp. 5415-8

10. LEGISLATIVE PROGRAM. Rep. Albert announced that on Thurs., April 16, H. R. 5674, to authorize certain construction at military installations, including an authorization for use of Public Law 480 and CCC funds, would be programed and that Rep. Vinson will ask for a rollcall vote on that bill. p. 5403

SENATE

11. COTTON. Passed without amendment S. 1455, to authorize 1-year leases of upland cotton acreage allotments from farms having allotments of 10 acres or less to other farms in the same county if the combined allotments will not exceed 50 acres. pp. 5340-7

12. RESEARCH; MILK; COOPERATIVES. The Senate Agriculture and Forestry Committee ordered reported the following bills: p. D247

S. 690, without amendment, to provide a program for the increased use of agricultural products for industrial purposes;

86TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 273

ADDING CERTAIN LANDS IN IDAHO TO THE BOISE AND PAYETTE NATIONAL FORESTS

APRIL 15, 1959.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. PFOST, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 2497]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 2497) to add certain lands located in Idaho to the Boise and Payette National Forests, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 5, line 15, strike out section 5 and insert in lieu thereof the following language:

> SEC. 5. (a) The Secretary of the Interior shall prepare lists of lands acquired for the Cascade Reservoir reclamation project which are not described in sections 1, 2, and 3 of this Act and which, in his judgment, are excess to the needs of the project. The lands so listed shall be divided into two classes: those which are now or are likely, within ten years, to become chiefly valuable as home, cabin, recreation, or business sites (hereinafter referred to as Class A lands), and all other lands (hereinafter referred to as Class B lands). Lands of either class shall hereafter be sold or exchanged only in accordance with the provisions of this section.
>
> (b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within 300 feet of the shoreline established by the normal water surface elevation of 4828.0 feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.

(c) The Secretary may sell by competitive bidding, at not less than their appraised fair market value, lands of either class. Class A lands shall be sold in tracts of not more than five acres, with such reservations or dedications to public use of rights of way for roads, streets and public utilities and upon such terms and conditions as he may deem appropriate. The Former owner of lands so offered for sale shall have a personal nontransferable preference right to reacquire, within thirty days after the highest bid is declared, any class B lands which were formerly owned by him and one tract of class A lands which were formerly owned by him at, in either case, a price equal to the highest bid received for such lands. But in no case shall the former owner be required to pay more than three times the appraised fair market value of the lands. Where the ownership of lands at the time of their acquisition by the Government was in more than one person, and two or more such former owners assert a preference right for the same tract, the preference right applicants shall be given a period of thirty days in which to file a joint purchase application or otherwise to compose their conflict. If they fail to do so, the Secretary shall determine the order of preference among them by lot. Any lands remaining unsold after competitive bids have been solicited may be sold by the Secretary in such manner as he shall deem proper but at not less than their appraised fair market value. The Secretary may at any time withdraw from sale any unsold lands and reoffer them at a reappraised fair market value.

(d) As used in this section, the term "lands" includes interests in land, and the term "former owner" includes the surviving spouse of a deceased former owner.

PURPOSE

The principal purposes of H.R. 2497, as amended, are (1) to modify the boundaries of the Boise and Payette National Forests, Idaho, to include about 2,400 acres of land acquired for the Cascade Reservoir of the Boise Federal reclamation project, and (2) to provide that the former owners of other surplus lands which were acquired for this reservoir (also about 2,400 acres) shall have a limited preference right to repurchase them when they are disposed of by the Government.

NEED

Cascade Reservoir is an attractive lake on the North Fork of the Payette River. The area has been subjected to uncontrolled use by recreationists. Sanitation, fire, and other hazards have resulted. It is within easy driving distance of Boise and other communities in southwestern Idaho and can be made a useful public recreation facility with little expense. The lands transferred to the administrative jurisdiction of the Department of Agriculture by the bill can be more conveniently administered for this and other purposes in connection with the lands now in the Boise and Payette National Forests than they can be by the Department of the Interior. Until legislation along the lines of H.R. 2497 is enacted, however, the Forest Service

lacks authority to undertake necessary improvements which, it is estimated, will require the expenditure of about $75,000. Enactment of H.R. 2497 will also make these lands available for other land uses normal to national forests, including leases for individual cabin sites, if appropriate. Thus, administration of these Federal lands for their highest and best uses can be accomplished under a familiar set of laws and regulations and by an agency equipped to carry them out.

The other lands covered by the bill are subject to disposition under the surplus property laws, but those laws make no provision for giving a former owner a preference right to purchase. The committee's proposed amendment overcomes this problem.

COST

Enactment of H.R. 2497 will not itself entail any expense to the Government. Sale of certain lands covered by the bill, on the other hand, will bring in some cash and thus reduce the cost of Cascade Reservoir.

DEPARTMENTAL RECOMMENDATIONS

The Departments of the Interior and Agriculture recommended enactment of H.R. 2497 as introduced. The committee amendment, which deals with matters of concern only to the Interior Department, was worked out in consultation with members of its staff.

ANALYSIS OF BILL

Sections 1, 2, and 3 of the bill describe the lands to be added to the Boise and Payette National Forests. These include such lands, if any, as may hereafter be acquired for Cascade Reservoir. The lands added to the forests are to be administered as are other lands to which the Weeks Act and its amendments are applicable.

Section 4, subsection (a), makes clear that the bill does not itself authorize acquisition of any additional lands and that it is not intended to affect existing rights. Subsection (b) directs the Secretary of Agriculture to make available to the Bureau of Reclamation any of the lands added to the Boise and Payette Forests which the Secretary of the Interior finds are needed for the reclamation project. Subsection (c) authorizes the Secretaries of the Interior and Agriculture to enter into agreements defining the responsibilities of their two departments with respect to the administration of the lands made available to the Bureau of Reclamation and with respect to accounting for and use of revenues derived from these lands. Ordinarily, the committee understands, revenues from the leasing of lands would be credited to the reclamation fund. In this case, however, the development will be undertaken at the expense of appropriations to the Forest Service and subsection (c) will permit the receipts to follow the course of those funds if the heads of the two departments concerned so agree. It is the understanding of the committee that proper adjustments will be made in the accounts of the Boise project to reflect the transfer of land to Forest Service jurisdiction, thus reducing the reimbursable cost of Cascade Reservoir and the amount to be repaid by its beneficiaries.

Section 5 of the bill, as introduced, would have given the Secretary of the Interior broad discretion to sell, under any terms that he found desirable, the lands acquired for Cascade Reservoir which are surplus to the needs of the project and are not included in the national forests by the other sections of the bill. As amended by the committee, subsection (a) of this section directs the Secretary to list any such lands and to divide them into two classes: (A) those which are chiefly valuable for home, cabin, recreation, and business sites and (B) all other lands. Subsection (b) provides for the exchange of lands of either of these two classes for non-Federal lands of not less than approximately equal value situated outside the extended national forest boundaries and within 300 feet of the normal shoreline of Cascade Reservoir. The non-Federal lands to which this applies are principally those over which a flowage easement for Cascade Reservoir exists. It has been found that flowage easements do not furnish all the protection and rights which are needed by the Government.

Subsection (c) provides for the sale of the remaining lands at not less than their fair market value, with a provision that those that are classified for home, cabin, recreation, and business sites shall not be sold in tracts of more than 5 acres. The initial offer to sell will be accompanied by a call for competitive bids, but if this fails to dispose of the lands the Secretary will be authorized to sell them in any other proper manner. Subsection (c) also gives a personal preference right of reacquisition to the former owner and to the surviving spouse of the former owner of a tract which is offered for sale. The preference-right holder will have to equal the highest competitive bid received unless this exceeds three times the appraised fair market value of the tract in question, in which case the latter will be the upset price for him. There is no limit on the number of tracts any one person may purchase, but in the case of lands classified for home, cabin, recreation, and business sites the preference right of a former owner extends to only one tract.

DISCUSSION

Committee consideration of H.R. 2497 raised several problems. The committee was concerned, first, with an apparent overacquisition of private lands for the Cascade Reservoir. The high-water elevation of the reservoir is 4,828 feet. At this elevation, the water surface is 26,500 acres. Yet the lands acquired in fee totaled over 35,000 acres, according to the annual histories of the Boise project on file in the Interior Department library. These lands were acquired during the years 1941 through 1950 at an average price of $33.50 per acre.

The committee is concerned with overacquisition, because it involves an undue burden on the Treasury and on the always limited appropriations made to support the reclamation program, because it takes private lands off the local tax rolls without necessity or justification, because it can result in a requirement that the project beneficiaries repay more than they ought to be required to repay, and because it is an abuse of the discretion which any general law permitting land acquisition in furtherance of authorized programs unavoidably places in the executive departments.

The committee is aware that there may have been a justification for what appears to have been an overacquisition that was not called

to its attention. Many of those who would be most familiar with it, if it exists, have retired or died. But the explanations offered by the witnesses for the Department of the Interior were not convincing. Neither the necessity of acquiring land around the margin of the reservoir in order to control access to it and to prevent claims arising from potential erosion of lands remaining in private ownership nor the common practice of acquiring tracts conforming to the smallest legal subdivision lines nor the two of these put together satisfactorily explains an overage of 30 percent or more.

The most plausible explanation that was offered or that has occurred to the committee is that various owners, whose best lands in the river valley would be flooded, urged the Government purchasing agents to acquire their entire holdings, including the less desirable and unneeded high lands. While the committee is aware of the desirability of reaching amicable settlements with landowners whose lands must, in whole or in part, be acquired by the Government and thus of avoiding condemnation actions wherever it is reasonable to do so, it is questionable whether sufficiently tight control was exercised in this instance or whether the advantages to the private seller and by way of promoting good will for the Cascade project were properly weighed against the disadvantages outlined above. The committee understands, however, that more rigid land acquisition standards have been put into effect by the Bureau of Reclamation in the meantime and, therefore, since the matter does not go directly to the merits of H.R. 2497, did not pursue it further.

The committee's second principal concern was with a group of problems centering around the desire of former owners to be given a repurchase preference with respect to lands to be sold. Three questions are involved in this: (1) Whether a former owner who had disposed of his entire interest at a fair price should be given any special consideration; (2) whether, if he should be given such consideration, it should extend to all of his former lands that are to be sold or only to some of them; and (3) what price he should be required to pay for those lands to which the preference extends.

The committee had little difficulty in arriving at an affirmative answer to the first of these. While it recognizes that a seller is not entitled to special consideration as a matter of right and that the general statutes give no such consideration, it also recognizes that there are sometimes values attached to landownership which the usual appraisal methods and the findings of juries cannot and ought not to take into account but which, if the land is to be disposed of, may properly be considered.

The answers to the second and third questions were influenced in large measure by the committee's recognition that, given the construction and location of Cascade Reservoir, both the value of the land and the use to which it can best be put have changed greatly since the time it was acquired by the Government. It was this and the belief that the benefits created by a public reservoir should not be limited to a few people that convinced the committee of the desirability of limiting the amount of land classified for home, cabin, business, and recreation sites which a former owner should be given a preference right to repurchase.

Before arriving at the formula embodied in its amendment, the committee considered and rejected various other pricing formulas.

It rejected a proposal that the former owner be permitted to repurchase at the same price he was paid because this ignores a very real increase in the value of the land caused by construction of Cascade Reservoir. It rejected a proposal that he be permitted to repurchase at present appraised value because this would place too great faith in the appraiser's art and ignore too completely the healthy and sometimes unexpected effects of competitive bidding. And it rejected a proposal that he be accorded a preference only if he was willing to match the highest bid because this would, in some instances at least, make the preference of little value and would eliminate all consideration of equity arising from former ownership. The committee therefore recommends the formula which it has adopted—a matching of the highest bid or three times the appraised value, whichever is less, but in no event less than the appraised value—as a reasonable solution to this problem. This formula is an adaptation to present circumstances of the one found in section 14 of the Taylor Grazing Act (act of June 28, 1934, 48 Stat. 1274, 43 U.S.C. 1171).

DEPARTMENTAL REPORTS

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 12, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: This responds to your request for the views of this Department on H.R. 2497, a bill to add certain lands located in Idaho to the Boise and Payette National Forests.

We would not object to the enactment of this bill:

H.R. 2497 would extend the boundaries of the Boise National Forest and the Payette National Forest to include certain described lands located on the west side of Cascade Reservoir in the State of Idaho. These lands were acquired by the Bureau of Reclamation of this Department in connection with the construction of Cascade Reservoir, a feature of the Boise Federal reclamation project. Under the provisions of the bill the Secretary of Agriculture would be required to make available to the Bureau of Reclamation such lands as the Secretary of the Interior finds to be needed for project purposes.

Section 5 of the bill would authorize this Department to sell any lands acquired in connection with the construction of Cascade Dam and Reservoir, other than those lands which would be included within the boundaries of the two national forests, which might be found to be surplus to project needs. Local groups have indicated that the return of such lands to private ownership would facilitate community development and land use. We believe this to be a desirable objective, particularly since a large proportion of the land in Valley County, Idaho, is in Federal ownership. It may be pointed out, however, that it is expected there would be reserved to the United States an appropriate flowage easement in the sale of any such lands which might be flooded by a rise in the water level of the reservoir.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRED G. AANDAHL,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 12, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives.

DEAR CONGRESSMAN ASPINALL: This is in reply to your request of January 24, 1959, for the views of this Department on H.R. 2497, a bill to add certain lands located in Idaho to the Boise and Payette National Forests.

The Department of Agriculture recommends enactment of H.R. 2497.

The bill would extend the boundaries of the Boise and Payette National Forests in Idaho and lands embraced by such extensions, owned or hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project, would be added to and made parts of the respective national forests. In addition, such Federal lands as are within the present boundaries of the Boise National Forest would be made a part of that national forest. Federal lands added to the national forests by the act would be made subject to all laws, rules, and regulations applicable to lands acquired pursuant to the act of March 1, 1911 (36 Stat. 961), as amended.

The bill also would (1) declare that the purpose of the act shall not be construed to authorize the United States to acquire additional land nor to anywise affect existing rights to or in connection with the lands added to the forests; (2) direct the Secretary of Agriculture to make available to the Bureau of Reclamation of the Department of the Interior such of the lands added to the national forests as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project; (3) authorize the Secretaries of the two departments to enter into agreements regarding the administration of, and accounting for and use of revenues from, lands so made available to the Bureau of Reclamation; and (4) authorize the Secretary of the Interior to sell, under such terms and conditions as he deems desirable, any lands acquired in connection with the Cascade Reservoir reclamation project which in his judgment are surplus to the needs of the project and which are not added to the national forests by the bill.

Cascade Reservoir is formed by a dam in the North Fork of the Fayette River near the town of Cascade, Idaho. A small area of the Federal lands which would be added to the national forests is already within the present Boise National Forest boundary. The remainder is within two separate areas lying between the present forest boundaries and the west side of the reservoir, one being a narrow strip from one-quarter mile to 1 mile wide and the other a small block about a mile wide. These lands are partly inundated by the reservoir. Thus, federally owned lands to be added to the national forests total about

2,405 acres, of which about 1,409 acres are above the waterline when the reservoir is at its highest level, as follows:

	Approximate acreage	
	Above waterline	Below waterline
Within present boundary of Boise National Forest	144	
Outside present boundary of Boise National Forest	1,145	800
Outside present boundary of Fayette National Forest	120	196
Total	1,409	996

The remaining land within the national forest boundary extensions is nonfederally owned. Part of it is covered by flowage easements in favor of the United States in connection with the reservoir.

Enactment of the bill would not increase the acreage of lands in Federal ownership. The lands within the national forest boundary extensions include about 10 percent of the shoreline of the reservoir. Much of the remainder of the shoreline is open range, pasture, or agricultural land and is not well-adapted to public use for recreation.

Cascade Reservoir forms an attractive lake in a scenic mountain setting. Its recreational potential and use thereof by the public can be expected to increase materially in the future. The lands to be added to the national forests are well-adapted to use and development for such public recreation activities as camping, picnicking, boating, and fishing. They are primarily forest lands bearing stands of timber consisting mainly of young growth ponderosa pine and Douglas-fir. Topography is gentle to moderate.

Shoreline areas within the proposed boundary extensions are being used by recreationists at present without adequate provisions for sanitation, cleanup, or fire protection. Such use constitutes a hazard to the adjoining national forests, which are more heavily forested and of rugged topography. As recreational use increases, the need will also increase for installation of fire protection and sanitation facilities, supplies of pure water, and other campground and picnicking facilities.

Funds appropriated for the national forests, however, are available only for use on or for protection of lands administered by the Forest Service. They cannot be used to develop or manage lands acquired for reclamation purposes by the Bureau of Reclamation. The lands in the boundary extensions are in close proximity to the national forest administrative personnel and fire protection installations. Thus, they can be easily administered and protected as part of the national forests.

A portion of the Federal lands within the proposed boundary extensions has been leased to private parties for grazing purposes. In addition, one parcel has been leased to the South Idaho Christian Missionary Society for conference ground purposes. Upon enactment of the bill, the Secretary of Agriculture would assume responsibility for administering such leases.

It is the interpretation of this Department that the language of section 4(a) would not preclude the making of desirable land exchanges within the extended national forest boundaries from time to time under other laws authorizing exchanges within national forests.

If the described lands are added to the national forests, the installation of needed improvements would involve the expenditure over a 2- or 3-year period of about $75,000. This expenditure would be financed out of the amount regularly budgeted in connection with Operation Outdoors without a request for additional appropriations in any particular year. No appreciable administrative costs would be involved.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 2497, as amended.

○

Union Calendar No. 94

86TH CONGRESS
1ST SESSION

H. R. 2497

[Report No. 273]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 1959

Mrs. FROST introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

APRIL 15, 1959

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To add certain lands located in Idaho to the Boise and Payette National Forests.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17;

lots 1, 2, 3, and 4, the northwest quarter of the northeast quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township

14 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast quarter, the northwest quarter of the northeast quarter, and

the northeast quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

(b) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this

Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

~~SEC. 5. The Secretary of the Interior may sell, under such terms and conditions as he deems desirable, any lands acquired in connection with the Cascade Reservoir reclamation project which in his judgment are surplus to the needs of the project and are not described in sections 1, 2, and 3 of this Act.~~

SEC. 5. (a) The Secretary of the Interior shall prepare lists of lands acquired for the Cascade Reservoir reclamation project which are not described in sections 1, 2, and 3 of this Act and which, in his judgment, are excess to the needs of the project. The lands so listed shall be divided into two classes: those which are now or are likely, within

ten years, to become chiefly valuable as home, cabin, recreation, or business sites (hereinafter referred to as class A lands), and all other lands (hereinafter referred to as class B lands). Lands of either class shall hereafter be sold or exchanged only in accordance with the provisions of this section.

(b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within three hundred feet of the shoreline established by the normal water surface elevation of four thousand eight hundred and twenty-eight feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.

(c) The Secretary may sell by competitive bidding, at not less than their appraised fair market value, lands of either class. Class A lands shall be sold in tracts of not more than five acres, with such reservations or dedications to public use of rights-of-way for roads, streets and public utilities and upon such terms and conditions as he may deem appropriate. The former owner of lands so offered for sale shall have a personal nontransferable preference right to reacquire, within thirty days after the highest bid is declared, any class B lands which were formerly owned by him and one tract of class A lands which were formerly owned by him at, in either case, a price equal to the highest bid received for such lands. But

in no case shall the former owner be required to pay more than three times the appraised fair market value of the lands. Where the ownership of lands at the time of their acquisition by the Government was in more than one person, and two or more such former owners assert a preference right for the same tract, the preference right applicants shall be given a period of thirty days in which to file a joint purchase application or otherwise to compose their conflict. If they fail to do so, the Secretary shall determine the order of preference among them by lot. Any lands remaining unsold after competitive bids have been solicited may be sold by the Secretary in such manner as he shall deem proper but at not less than their appraised fair market value. The Secretary may at any time withdraw from sale any unsold lands and reoffer them at a reappraised fair market value.

(d) As used in this section, the term "lands" includes interests in land, and the term "former owner" includes the surviving spouse of a deceased former owner.

Union Calendar No. 94

86TH CONGRESS
1ST SESSION

H. R. 2497

[Report No. 273]

A BILL

To add certain lands located in Idaho to the Boise and Payette National Forests.

By Mrs. PFOST

JANUARY 15, 1959

Referred to the Committee on Interior and Insular Affairs

APRIL 15, 1959

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

H. R. 2497

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued May 5, 1959
For actions of May 4, 1959
86th-1st, No. 70

CONTENTS

Acreage allotments.....5
Alaska.....16
Appropriations.....4,30
Civil defense.....20
Conservation.....4
Depressed areas.....18
Disaster relief.....29
Electrification.....3,10
Fair trade.....17
Farm program.....6,14
Feed and seed.....29
Fish.....16
Food coloring.....28
Foreign aid.....27
Forestry.....1,23
Health.....22
Livestock.....11
Milk.....25
National flower.....7
Organization.....9
Personnel.....21,22
Procurement.....19
Public lands.....5
Reclamation.....2
Research.....22
Rural development.....13
Textiles.....12
Trade fair.....26
Transportation.....24
Wages.....12
Water.....15
Watersheds.....8
Wheat.....31
Wildlife.....4

HIGHLIGHTS: Senate committee ordered reported bill to extend Reorganization Act to June 1, 1961.

HOUSE

1. FORESTRY. Passed as reported H. R. 2497, to add certain lands located in Idaho to the Boise and Payette National Forests. pp. 6580-1

2. RECLAMATION. Passed without amendment H. R. 1778, to amend Sec. 17 (b) of the Reclamation Act of 1939 to defer payment of certain construction costs by water users. p. 6583

Passed without amendment H. R. 839, to approve certain adjusting, deferring, and cancelling of irrigation charges against non-Indian owned lands near the Wapato Indian Irrigation project, Wash. p. 6583

3. ELECTRIFICATION. Rep. Evins objected to a Chamber of Commerce resolution critical of TVA, and stated that it "evidenced a lack of knowledge of the true facts about the Tennessee Valley Authority." p. 6590

Rep. Weis criticized TVA operations, the Southwestern Power Administration's operations in the Southwest, including its "scheme to get the REA's to pull its chestnuts out of the fire by building hundreds or thousands of miles of transmission lines," and stated that "Socialization of power was the first step to be taken in the ultimate goal of eliminating the American free enterprise or profit system in America." pp. 6625-33

4. CONSERVATION; WILDLIFE. Rep. Reuss criticized the drainage of potholes under the conservation reserve program as harmful to wildlife, expressed hope that

the USDA appropriation bill for 1960 "will contain a limiting amendment prohibiting further payments for draining wet lands" in 91 counties in Minn., S. Dak., and N. Dak., and inserted correspondence with the Interior Department discussing the situation. pp. 6592-3

Received from Interior a proposed bill "to authorize the establishment of the Artic Wildlife Range, Alaska"; to Merchant Marine and Fisheries Committee. p. 6636

5. ACREAGE ALLOTMENTS; PUBLIC LANDS. Received from this Department a proposed bill to amend the Agricultural Adjustment Act of 1938 so as to provide that acreage allotments on Government-owned lands which are not used because of leases which prohibit the production of price support crops in surplus supply shall be considered as having been planted for the purposes of determining future acreage allotments; to Agriculture Committee. p. 6636

6. FARM PROGRAM. Rep. Smith, Iowa, urged enactment of a farm bill, stated that "Increasing farm income to a parity with other incomes would increase income tax receipts and help greatly to balance our Government budget," and inserted a Daniel F. Rice & Co. commodity letter comparing farm income with nonfarm income, and stating that the Secretary's "activities have injured farmers while aiding food processors, grain storage companies, and other nonfarm groups." p. 6634

7. NATIONAL FLOWER. Rep. Weis urged that the rose be designated as our national flower. p. 6621

8. WATERSHEDS. Received from the Budget Bureau a report on plans for works of improvement on the following watersheds: Little Paint Creek, Ala.; Big Park, Iowa; Jennings Creek, Tenn.; and the American Fork-Dry Creek, Utah; to Agriculture Committee. p. 6636

Received from the Budget Bureau a report on plans for works of improvement on the following watersheds: Frye Creek-Stockton Wash., Ariz.; Brule Creek, S. Dak.; and the Sulphur Creek (supplement), Tex.; to Public Works Committee. p. 6636

SENATE

9. ORGANIZATION. The Government Operations Committee ordered reported with amendment S. 1474, to extend the provisions of the Reorganization Act of 1949 to June 1, 1961. p. D313

ITEMS IN APPENDIX

10. ELECTRIFICATION. Rep. Riehlman inserted an editorial, "REA Bill -- Primarily a Political Gimmick," praising the Administration record on REA and stating that the Secretary had "never interfered in any way" with REA loans. p. A3666

Extension of remarks by Rep. McGovern, on April 30, urging the House to override the President's veto of the REA bill. p. A3698

11. LIVESTOCK. Rep. Hoeven inserted a statement by a livestock commission firm defending livestock prices as having increased less than other items, substantiating this by use of a table. p. A3667

12. TEXTILE; WAGES. Rep. Lane inserted a letter from a textile union favoring an increase in the minimum wage to $1.25. pp. A3671-2

"SEC. 303 (a) Section 2(c) of the Railroad Unemployment Insurance Act is amended by striking out the period at the end thereof and instreing in lieu of such period a colon and the following: *'And provided further,* That, with respect to an employee who has ten or more years of service as defincd in section 1(f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensabie days of unemployment within such extended benefit period:

"'If the employee's "years of service" total—	The extended benefit period shall begin on the first day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive fourteen-day periods (each of which periods shall constitute a registration period) until the number of such fourteen-day periods totals—
10 and less than 15	7 but not more than 65 days)
15 and over	13

but not such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this Act on the basis of compensation earned after the first of such successive fourteen-day periods has begun. For an empioyee who has ten or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has fourteen or more consecutive days of unemployment, and who is not a "qualified employee" for the general benefit year current when such unemployment commences but is or becomes a "qualified employee" for the next succeeding generai benefit year, such succeeding benefit year shall, in his case, begin on the first day of the month in which such unemployment commences.'

"(b) An employee who has less than ten years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, and before April 1, 1959, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding sixty-five, which occur in registration periods beginning on or after June 19, 1958, and before July 1, 1959, and which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits nnder the Railroad Unemployment Insurance Act, except that an employee who has filed, and established, a first claim for benefits under the Temporary Unemployment Compensation Act of 1958 may not thereafter establish a claim under this subsection, and employee who has registered for, and established a claim for benefits under this subsection may not thereafter establish a claim under the Temporary Unemployment Compensation Act of 1958. Except to the extent inconsistent with this subsection, the provisions of the Railroad Unemployment Insurance Act shali be applicable in the administration of this subsection.

"(c) The Secretary of Labor, upon request, shall furnish the Board information deemed necessary by the Board for the administration of the provisions of subsection (b) hereof, and the Board, upon request, shall furnish the Secretary of Labor information deemed necessary by the Secretary for the administration of the Temporary Unemployment Compensation Act of 1958.

"SEC. 304. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out '$400' and inserting in lieu thereof '$500'.

"SEC. 305. Section 4 (a-2) of the Railroad Unmployment Insurance Act is amended by striking out subdivision (iv), and by striking out the semicolon at the end of subdivision (iii) and inserting in lieu thereof a period.

"SEC. 306. Section 8 (a) of the Railroad Unemployment Insurance Act is amended (1) by inserting after 'June 30, 1954' where it first appears the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and is not in excess of $400 for any calendar month paid by him to any employee for services rendered to him after the month in which this Act was so amended'; (2) by inserting after 'June 30, 1954' where it appears for the second time the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and to not more than $400 for any month after the month in which this Act was so amended'; (3) by inserting after 'June 30, 1954' where it appears for the third time the following: ', and before the calendar month next following the month in which this Act was amended in 1959, or less than $400 if such month is after the month in which this Act was so amended'; (4) by striking out 'December 31, 1947' in paragraph 2 and inserting in lieu thereof 'the month in which this Act was amended in 1959'; and (5) by striking out the table (except the coiumn headings) in such paragraph 2 and inserting in lieu thereof the following:

	Percent
'$450,000,000 or more	1½
$400,000,000 or more but less than $450,000,000	2
$350,000,000 or more but less than $400,000,000	2½
$300,000,000 or more but less than $350,000,000	3
Less than $300,000,000	3¾'.

"SEC. 307. Section 8(b) of the Railroad Unemployment Insurance Act is amended (1) by striking out '$3 per centum' and inserting in lieu thereof '3¾ per centum'; and (2) by inserting before the period at the end of the first sentence the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and as is not in excess of $400 paid to him for services rendered as an employee representative in any calendar month after the month in which this Act was so amended'.

"SEC. 308. (a) Subsection (d) of section 10 of the Railroad Unemployment Insurance Act be amended to read as follows:

"'(d) Whenever the Board finds at any time that the balance in the railroad unemployment insurance account will be insufficient to pay the benefits and refunds which it estimates are due, or will become due, under this Act, it shall request the Secretary of the Treasury to transfer from the Railroad Retirement Account to the credit of the railroad unemployment insurance account such moneys as the Board estimates would be necessary for the payment of such benefits and refunds, and the Secretary shall make such transfer. Whenever the Board finds that the balance in the railroad unemployment insurance account, without regard to the amounts transferred pursuant to the next preceding sentence, is sufficient to pay such benefits and refunds, it shall request the Secretary of the Treasury to retransfer from the railroad unemployment insurance account to the credit of the Railroad Retirement Account such moneys as in its judgment are not needed for the payment of such benefits and refunds, plus interest at the rate of 3 per centum per anum, and the Secretary shall make such retransfer. In determining the balance in the railroad unemployment insurance account as of September 30 of any year pursuant to section 8(a) of this Act, any moneys transferred from the Railroad Retirement Account to the credit of the railroad unemployment insurance account which have not been retransferred as of such date from the latter account to the credit of the former, plus the interest accrued thereon to that date, shall be disregarded.'

"(b) The amendment made by this section shall take effect on the date of enactment of this Act.

"SEC. 309. The amendments made by section 301(b) shall be effective with respect to days in registration periods beginning after June 30, 1959. The amendments made by sections 302, 303(a), and 305 shall be effective with respect to benefits accruing in general benefit years which begin after the benefit year ending June 30, 1958, and in extended benefit periods which begin after December 31, 1957. The amendment made by section 304 shall be effective with respect to base years after the base year ending December 31, 1957. The amendments made by clauses (4) and (5) of section 306 and clause (1) of section 307 shall be effective as of the first day of the calendar month next following the month in which this Act was enacted, and shall apply only with respect to compensation paid for services rendered in caiendar months after the month in which this Act was enacted."

Mr. HARRIS (interrupting the reading of the amendment). Mr. Speaker, I ask unanimous consent that the further reading of the amendment be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, for the information of the Members of the House, I have asked unanimous consent that the proceedings whereby the bill H.R. 5610 was laid on the table, the amendment agreed to, the bill engrossed and read a third time and passed, be vacated for the purpose of offering an amendment.

The unanimous consent request was agreed to, and I have offered an amendment, which has just been read.

The amendment to the bill H.R. 5610 which I have just offered strikes out all after the enacting clause and inserts the provisions of the bill that passed the Senate last week.

You will recall that H.R. 5610, to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, was considered in the House last Wednesday. A substitute was offered by the distinguished gentleman from West Virginia [Mr. STAGGERS].

The substitute was practically the same bill that was considered and passed by the other body, with the exception of one amendment, which had to do with section 4. Under this amendment pensions would be considered as income of those entitled to the benefits of this act. The Senate had considered that amendment, which is not out of line with other provisions of law in other matters of this kind. So that is the matter that is before us now.

The necessity for this action is that last week after the House had taken the action it did, we, as usual, when we have a bill from the other body on the same subject on the Speaker's table, asked that that bill be taken from the Speaker's desk, that all after the enacting clause be stricken out, and that the House-passed bill be inserted. That was the usual procedure we followed, and I made the request after the House had taken its action last week. It later developed that that was not the correct action that should have been taken because there are tax provisions in this legislation. The Constitution provides, as you know, that all legislation relating directly to tax measures, revenues, must originate in the House of Representatives. Therefore, this action to vacate that proceeding is in order to comply with the constitutional provision by passing this legislation in order to accomplish what the House intended last week after it considered this matter rather extensively.

Mr. ROBERTS. Mr. Speaker, the amendment to section 20 of the Railroad Retirement Act of 1937 made by section 4 of the amendment provides that payments under such act shall not be considered as income for purposes of section 522 of title 38, United States Code. Under that section, pension for non-service-connected permanent and total disability is not paid to a veteran whose annual income exceeds $1,400 if he has no dependents or $2,700 if he has one or more dependents. Under existing law, certain items are disregarded in determining whether a veteran has exceeded the income limitations, and the amendment will add to the list of such items payments under the Railroad Retirement Act of 1937.

The cost of this amendment is negligible.

The amendment was sponsored in the other body by Senator HILL, of Alabama. I was happy to sponsor it in the House.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the proceedings whereby S. 226, an act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, as amended, was read a third time, and passed, be vacated, and the bill be indefinitely postponed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise the remarks I have made on this subject, and further that all Members may have permission to extend their remarks on this subject if they so desire.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

BOISE AND PAYETTE NATIONAL FORESTS

The Clerk called the bill (H.R. 2497) to add certain lands located in Idaho to the Boise and Payette National Forests.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Reserving the right to object, Mr. Speaker, as I understand this bill it provides for an exchange of land. I am wondering whether suitable land will be available to tourists and others who have been using this land for campsites, and so forth.

Mrs. PFOST. I should like to answer the gentleman to say that it will make available additional lands for tourist and recreational use. In other words, this reclamation land has been acquired and is in excess or in surplus of the needs for flooding purposes for the reservoir. Therefore, it allows the Forest Service to incorporate some 2,400 additional acres into the forest lands. They will place picnic tables and make other recreation spots as the facilities are available to take care of the public in the area.

Mr. GROSS. Mr. Speaker, that is my only concern: whether we will be depriving the public of recreational facilities they have been using without providing substitute land and facilities.

Mrs. PFOST. On the contrary, it will be to their advantage.

Mr. GROSS. I thank the gentlewoman. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17; lots 1, 2, 3, and 4, the northwest quarter of the northeast quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township 14 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast quarter, the northwest quarter of the northeast quarter, and the northeast quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

(b) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

SEC. 5. The Secretary of the Interior may sell, under such terms and conditions as he deems desirable, any lands acquired in connection with the Cascade Reservoir reclamation project which in his judgment are surplus to the needs of the project and are not described in sections 1, 2, and 3 of this Act.

With the following committee amendment:

Page 5, line 15, strike out section 5 and insert in lieu thereof the following language:

"SEC. 5. (a) The Secretary of the Interior shall prepare lists of lands acquired for the Cascade Reservoir reclamation project which are not described in sections 1, 2, and 3 of this Act and which, in his judgment, are excess to the needs of the project. The lands so listed shall be divided into two classes: those which are now or are likely, within ten years, to become chiefly valuable as home, cabin, recreation, or business sites (hereinafter referred to as Class A lands), and all other lands (hereinafter referred to as Class B lands). Lands of either class shall hereafter be sold or exchanged only in accordance with the provisions of this section.

"(b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within 300 feet of the shoreline established by the normal water surface elevation of 4,826.0 feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.

"(c) The Secretary may sell by competitive bidding, at not less than their appraised fair market value, lands of either class. Class A lands shall be sold in tracts of not more than five acres, with such reservations or dedications to public use of rights-of-way for roads, streets, and public utilities and upon such terms and conditions as he may deem appropriate. The Former owner of lands so offered for sale shall have a personal nontransferable preference right to reacquire, within thirty days after the highest bid is declared, any class B lands which were formerly owned by him and one tract of class A lands which were formerly owned by him at, in either case, a price equal to the highest bid received for such lands. But in no case shall the former owner be required to pay more than three times the appraised fair market value of the lands. Where the ownership of lands at the time of their acquisition by the Government was in more than one person, and two or more such former owners assert a preference right for the same tract, the preference right applicants shall be given a period of thirty days in which to file a joint purchase application or otherwise to compose their conflict. If they fail to do so, the Secretary shall determine the order of preference among them by lot. Any lands remaining unsold after competitive bids have been solicited may be sold by the Secretary in such manner as he shall deem proper but at not less than their appraised fair market value. The Secretary may at any time withdraw from sale any unsold lands and reoffer them at a reappraised fair market value.

"(d) As used in this section, the term 'lands' includes interests in land, and the term 'former owner' includes the surviving spouse of a deceased former owner."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WRIGHT BROTHERS NATIONAL MEMORIAL

The Clerk called the bill (H.R. 5488) to revise the boundaries of Wright Brothers National Memorial, N.C., and for other purposes.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the Act of March 2, 1927 (44 Stat. 1264), the following described lands are hereby added to the Wright Brothers National Memorial in the State of North Carolina:

TRACT 1

Beginning at a point on the existing eastern boundary line of the Wright Brothers National Memorial where said line intersects the northerly line of Roanoke Avenue; thence north 70 degrees 30 minutes east, 500 feet, more or less along the northerly line of Roanoke Avenue to the intersection of said line with the westerly right-of-way line of the relocated North Carolina State Highway Numbered 158; thence north 19 degrees 30 minutes west, 4,087.5 feet, more or less, along the said westerly right-of-way line of the relocated North Carolina State Highway Numbered 158 to the intersection of said line with the southerly property line of land now or formerly owned by R. W. Rowland; thence south 70 degrees 30 minutes west, 2,435 feet along the said southerly property line of land now or formerly owned by R. W. Rowland to a stake; thence south 19 degrees 30 minutes east, 1,057.5 feet, more or less, to a point on the existing northern boundary line of the Wright Brothers National Memorial; thence north 70 degrees 30 minutes east, 1,935 feet, more or less, along the existing northern boundary line of the Wright Brothers National Memorial to the northeastern corner of the said memorial; thence south 19 degrees 30 minutes east, 3,030 feet, more or less, along the existing eastern boundary line of the Wright Brothers National Memorial to the point of beginning, the tract as described containing approximately 95 acres.

TRACT 2

Beginning at a stake or other marker on the westerly line of Old North Carolina State Highway Numbered 158, sometimes known as the Virginia Dare Trail, where said line intersects the southerly line of Lowell Avenue; thence south 70 degrees 30 minutes west, 925 feet, more or less, along the southerly line of Lowell Avenue to the intersection of said line with the easterly right-of-way line of the relocated North Carolina State Highway Numbered 158; thence south 19 degrees 30 minutes east, 720 feet, more or less, along the said easterly right-of-way line of the relocated North Carolina State Highway Numbered 158 to the intersection of said line with the northerly line of Woodmere Avenue; thence north 70 degrees 30 minutes east, 925 feet, more or less, along the said northerly line of Woodmere Avenue to the intersection of said line with the westerly line of Old North Carolina State Highway Numbered 158; thence north 19 degrees 30 minutes west, 720 feet, more or less, along the said westerly line of Old North Carolina State Highway Numbered 158 to the point of beginning, the tract as described containing approximately 16 acres.

SEC. 2. Lands added to the memorial pursuant to section 1 hereof shall be subject to all the laws, rules, and regulations applicable to said memorial.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DONATING TO PUEBLO OF ISLETA CERTAIN FEDERAL PROPERTY, NEW MEXICO

The Clerk called the bill (H.R. 5460) to donate to the pueblo of Isleta certain Federal property in the State of New Mexico.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Senate bill, S. 1271, to donate to the pueblo of Isleta certain Federal property in the State of New Mexico, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the land described below, together with the buildings and improvements thereon, is hereby declared to be held in trust for the pueblo of Isleta, New Mexico: A tract of land within section 31, township 8 north, range 3 east, New Mexico principal meridian, more particularly described as follows: Beginning at a point which bears north 17 degrees 20 minutes east, 171 feet from the point where the northeast corner of the Antonio Gutierrez and Joaquin Sedillo grant and the northwest corner of the Lo de Padilla grant touch the Government corner on the south line of the Isleta Pueblo grant; thence west 180 feet; thence north 325 feet; thence east 180 feet; thence south 325 feet to the point of beginning, containing $1^{31}/_{100}$ acres, more or less, and located within the exterior boundaries of the pueblo of Isleta in the State of New Mexico.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5460) was laid on the table.

AMENDING SECTION 6 OF THE ACT OF SEPTEMBER 11, 1957

The Clerk called the bill (H.R. 6118) to amend section 6 of the act of September 11, 1957.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I understand this bill

provides that persons afflicted with tuberculosis can be brought into this country. Is that the purpose of the bill?

Mr. WALTER. This is an extension of the act that expires in June, for a period of 2 years. It permits the spouse, the child, or the parent of an American citizen or of a lawfully admitted alien to come into the United States under specified safeguards, notwithstanding the fact that such immigrant is afflicted with tuberculosis. Continuous scrutiny and supervision of the administration of existing law has indicated to the Committee on the Judiciary the advisability of continuation of the discretionary authority vested in the Attorney General under the 1957 law. Medical testimony received by the committee appears to justify the committee's opinion. We believe that the temporary law has operated satisfactorily and in the interest of the United States. It is humanitarian in nature, and has not adversely affected public health and the general welfare of the United States, while serving the worthy purpose of keeping family units together by preventing separation of close relatives.

Mr. GROSS. I understand there are six persons, of those who have come in, who have not gone to a public health hospital. I wonder where they are? Are they at large in this country?

Mr. WALTER. No; these 6 people of the 1,507 who came in under the provisions of the law are now under deportation orders. This means that there has been noncompliance by less than one-half of 1 percent of the aliens admitted. According to the U.S. Public Health Service, in all cases of noncompliance an effort is being made to obtain compliance and if such efforts fail, the Immigration and Naturalization Service is informed for the purpose of enforcing the law.

Mr. GROSS. Mr. Speaker, that is the question I was concerned with in reference to this bill. I thank the gentleman from Penusylvania.

Mr. Speaker, I withdraw my reservation of objection.

Mr. FULTON. Mr. Speaker, further reserving the right to object, I would like to say I support the legislation strongly.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of September 11, 1957 (71 Stat. 640), is hereby amended by substituting "1961" for "1959".

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That section 6 of the Act of September 11, 1957 (71 Stat. 640)), is hereby amended to read as follows:

" 'SEC. 6. Notwithstanding the provisions of section 212(a)(6) of the Immigration and Nationality Act as far as they relate to aliens afflicted with tuberculosis, any alien who (A) is the spouse or child, including the minor unmarried adopted child, of a United States citizen, or of an alien lawfully admitted for permanent residence, or of an alien who has been issued an immigrant visa, or (B) has a son or daughter who is a United States citizen or an alien lawfully admitted for permanent residence or an alien who has been issued an immigrant visa, shall, if otherwise admissible, be issued a visa and admitted to the United States for permanent residence in accordance with such terms, conditions, and controls, if any, including the giving of a bond, as the Attorney General, in his discretion, after consultation with the Surgeon General of the United States Public Health Service, may by regulations prescribe. No visa shall be issued under the authority of this section after June 30, 1961.' "

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREDITING POSTAL REVENUES CERTAIN AMOUNTS IN CONNECTION WITH POSTAL ACTIVITIES

The Clerk called the bill (H.R. 4644) to credit to postal revenues certain amounts in connection with postal activities, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 4050 of the Revised Statutes (39 U.S.C. 782) is amended by inserting immediately following the last semicolon in such sentence the following: "all commissions on toll telephones located in buildings under the custody of the Post Office Department or the Postal Field Service; all amounts collected from officers and employees of the Post Office Department or the Postal Field Service on account of payments to them by courts of witness fees and allowances for expenses of travel and subsistence in cases in which such officers and employees have been subpenaed to testify in private litigation in their official capacities or to produce official records;".

(b) The second sentence in the seventh paragraph under the heading "Office Of The Third Assistant Postmaster-General."; in the Act of May 27, 1908 (35 Stat. 415; 39 U.S.C. 784), is amended by inserting "as part of the postal revenue" immediately before the period at the end of such sentence.

SEC. 2. The amendments made by the first section of this Act shall become effective on such date as may be specified by the Postmaster General but not later than the sixtieth day following the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISCLAIMING ANY INTEREST ON THE PART OF THE UNITED STATES IN CERTAIN LANDS IN THE STATE OF COLORADO

The Clerk called the bill (H.R. 3454) to disclaim any interest on the part of the United States in certain lands in the State of Colorado, and for other purposes.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

REVISING BOUNDARIES OF MONTEZUMA CASTLE NATIONAL MONUMENT, ARIZ.

The Clerk called the bill (H.R. 5282) to revise the boundaries of the Montezuma Castle National Monument, Ariz., and for other purposes.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to facilitate the administration and protection of the Montezuma Castle National Monument, Arizona, the boundaries thereof are hereby revised to include the following described lands:

GILA AND SALT RIVER BASE AND MERIDAN

Township 14 north, range 5 east: section 9, that portion of the southwest quarter southwest quarter located south and west of Beaver Creek, comprising about 2 acres; and section 16, southwest quarter southwest quarter northwest quarter and section 17, southeast quarter southwest quarter northeast quarter and south half southeast quarter northeast quarter, comprising about 40 acres.

Township 15 north, range 6 east: section 31, that portion of the northwest quarter southeast quarter located south and east of Beaver Creek and not heretofore included in the Montezuma Well section of the said monument, comprising approximately 17 acres.

SEC. 2. The Secretary of the Interior is authorized to acquire by purchase, donation, with donated funds, or otherwise and subject to such terms, reservations, and conditions as he may deem satisfactory, the land and interests in lands that are included within the boundaries of the Montezuma Castle National Monument as revised by section 1 of this Act. When so acquired, they shall be administered as a part of the Montezuma Castle National Monument, in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTING ASIDE AND RESERVING MEMALOOSE ISLAND, COLUMBIA RIVER, OREG., FOR THE USE OF DALLES DAM PROJECT AND TRANSFERRING PROPERTY TO YAKIMA TRIBE OF INDIANS IN EXCHANGE THEREFOR

The Clerk called the bill (H.R. 5728) to set aside the reserve Memaloose Island, Columbia River, Oreg., for the use of the Dalles Dam project and transfer certain property to the Yakima Tribe of Indians in exchange therefor.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 25, 1926 (44 Stat. 768), concerning the withdrawal and use of Memaloose Island, Wasco County, Oregon, is repealed and the island, as described in said Act, is withdrawn from entry, sale, or other disposition and set aside for use by the Department of the Army in connection with the Dalles Dam project on the Columbia River.

SEC. 2. There is hereby taken by the United States, for the Dalles Dam project, the entire interest held in Memaloose Island by the Yakima Tribe of Indians, or any individual Indians; and in exchange therefor the Secretary of the Army or his designee shall

86TH CONGRESS
1ST SESSION

H. R. 2497

IN THE SENATE OF THE UNITED STATES

MAY 5, 1959

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To add certain lands located in Idaho to the Boise and Payette National Forests.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17; lots 1, 2, 3, and 4, the northwest quarter of the northeast

quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township

14 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast

quarter, the northwest quarter of the northeast quarter, and the northeast quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

(b) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

SEC. 5. (a) The Secretary of the Interior shall prepare lists of lands acquired for the Cascade Reservoir reclamation project which are not described in sections 1, 2, and 3 of this Act and which, in his judgment, are excess to the needs of the project. The lands so listed shall be divided into two classes: those which are now or are likely, within ten years, to become chiefly valuable as home, cabin, recreation, or business sites (hereinafter referred to as class A lands), and all other lands (hereinafter referred to as class

B lands). Lands of either class shall hereafter be sold or exchanged only in accordance with the provisions of this section.

(b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within three hundred feet of the shoreline established by the normal water surface elevation of four thousand eight hundred and twenty-eight feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.

(c) The Secretary may sell by competitive bidding, at not less than their appraised fair market value, lands of either class. Class A lands shall be sold in tracts of not more than five acres, with such reservations or dedications to public use of rights-of-way for roads, streets and public utilities and upon such terms and conditions as he may deem appropriate. The former owner of lands so offered for sale shall have a personal nontransferable preference right to reacquire, within thirty days after the highest bid is declared, any class B lands which were formerly owned by him and one tract of class A lands which were formerly owned by him at, in either case, a price equal to the highest bid received for such lands. But in no case shall the former owner be required to pay more than three times the appraised fair market value of the lands. Where the ownership of lands at the time of their acquisition

by the Government was in more than one person, and two or more such former owners assert a preference right for the same tract, the preference right applicants shall be given a period of thirty days in which to file a joint purchase application or otherwise to compose their conflict. If they fail to do so, the Secretary shall determine the order of preference among them by lot. Any lands remaining unsold after competitive bids have been solicited may be sold by the Secretary in such manner as he shall deem proper but at not less than their appraised fair market value. The Secretary may at any time withdraw from sale any unsold lands and reoffer them at a reappraised fair market value.

(d) As used in this section, the term "lands" includes interests in land, and the term "former owner" includes the surviving spouse of a deceased former owner.

Passed the House of Representatives May 4, 1959.

Attest: RALPH R. ROBERTS,

Clerk.

86TH CONGRESS
1ST SESSION

H. R. 2497

AN ACT

To add certain lands located in Idaho to the Boise and Payette National Forests.

MAY 5, 1959

Read twice and referred to the Committee on Interior and Insular Affairs

H. R. 2497

AN ACT

Digest of CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

(For Department Staff Only)

Issued June 3, 1959
For actions of June 2, 1959
86th-1st, No. 89

CONTENTS

Agricultural appropriations.....1
Appropriations.1,2,9,11,13
Auditing.....20
Commodity loans.....1
Cotton.....32
Electrification.....25,28
Expenditures.....5
Farm labor.....18
Farm prices.....21
Farm program.....16,17
Federal-State relations.12
Flower.....33
Foreign aid.....29
Forests.....3,6,15
GAO.....20
Information.....26,33
Interest rates.....4
Judicial officer.....31
Labor standards.....27
Lands.....6
Library services.....24
Personnel.....5
Price supports.....10
Public Law 480.....1
Reclamation.....22
Reorganization.....8
Roads.....15
Rural development.....23
Scientific information..26
Soil bank.....7
Surplus commodities.....30
Tobacco.....10
Wheat.....19
Wilderness.....3
Wildlife.....14

HIGHLIGHTS: Senate debated agricultural appropriation bill. Senate subcommittee voted to report Interior appropriation bill (includes FS). House committee reported tobacco price support bill. House passed bill to extend Reorganization Act. House received conference report on Treasury-Post Office appropriation bill. House committee reported public works appropriation bill.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1960. Continued debate on this bill, H. R. 7175 (pp. 8579-83, 8587-8617).

Agreed to an amendment by Sen. O'Mahoney to provide $120,000 additional for enforcement activities under the Packers and Stockyards Act (p. 8598). Sen. Allott moved to reconsider the vote by which the O'Mahoney amendment was agreed to, and his motion was pending at adjournment (pp. 8607-17).

Agreed to an amendment by Sen. Cooper to increase the FAS item from $3,518,300 to $3,668,300, and to reduce the amount of foreign currencies derived from sales under Public Law 480 for expenses of the agricultural attache service from $1,310,000 to $1,160,000 (pp. 8606-7).

Rejected, 26 to 51, an amendment by Sen. Williams, Del., to reduce the advance authorization for the 1960 ACP program from $250 million to $100 million (pp. 8587-98).

Sen. Stennis submitted an amendment intended to be proposed to the bill which would amend the provision limiting CCC commodity loans to $50,000 to any person. He inserted a statement which described the purpose of his amendment as follows: "My amendment would permit all producers to use the loans as an orderly marketing tool but would limit the Government obligation at the end of the year to $50,000. Farmers placing more than this amount into the loan would be required to redeem from the Government any amount over this level." (p. 8603)

Sen. Allott submitted an amendment intended to be proposed to the bill which would provide $26,000 additional for AMS for reporting direct sales of livestock at ranges and feed lots in certain Western States (pp. 8607-17).

Sens. Allott and Williams, Del., submitted amendments (not set forth in the Record) which they intend to propose (p. 8561).

Agteed to a unanimous-consent request by Sen. Johnson to provide that beginning Wed., June 3, debate ... on any amendment to the bill will be limited to 30 minutes, and debate on final passage will be limited to 2 hours ... (p. 8607).

2. INTERIOR APPROPRIATION BILL, 1960. A subcommittee of the Appropriations Committee voted to report with amendments (but did not actually report) H. R. 5915, the Interior and related agencies appropriation bill for 1960 (includes the Forest Service). p. D422

3. WILDERNESS AREAS. Sen. Neuberger inserted an editorial urging enactment of S. 1123, to provide for the establishment of wilderness preservation areas. p. 8567

4. INTEREST RATES. Sen. Proxmire criticized the "hard-money policy and high interest rates," and urged "a monetary policy which will be helpful to the country." p. 8563

5. PERSONNEL; PAY. Received from the Joint Committee on Reduction of Nonessential Federal Expenditures a report on Federal employment and pay for Apr. pp. 8557-61

6. FORESTRY; LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) the following bills: p. D422

H. R. 2497, to add certain lands located in Idaho to the Boise and Payette National Forests;

S. 1185, to provide for the preservation of historical and archeological data which might otherwise be lost as the result of the construction of a dam;

H. R. 4748, to extend the leasing provisions of O. & C. and Coos Bay Lands Act to authorize leases to Ore. for recreational purposes.

7. SOIL BANK. Received a Chenango Co., N. Y., Chamber of Commerce resolution recommending the abolishment of "the soil bank bill which calls for the renting of farms." p. 8557

HOUSE

8. REORGANIZATION. Passed as reported H. R. 5140, to amend the Reorganization Act of 1949 so that it will apply to reorganization plans transmitted to the Congress at any time before June 1, 1961. p. 8621

9. TREASURY-POST OFFICE APPROPRIATION BILL, 1960. Received the conference report on this bill, H. R. 5805 (H. Rept. 425). Earlier in the day conferees were appointed. pp. 8620-1

June 9, 1959

Sen. Langer inserted and criticized a GTA Daily Roundup for singling out farm State Republicans as the group that must "have the courage to defy the Secretary of Agriculture and override the veto," and Sen. Langer stated that the "failure of a good farm bill should be blamed entirely on the Democrats who control both Houses of Congress." pp. 9268-9

13. FORESTRY; LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 2497, to add certain lands to the Boise and Payette National Forests, Idaho (S. Rept. 371). p. 9229

Received from the Minn. Legislature a resolution requesting legislation to establish a youth conservation corps. p. 9226

The Interior and Insular Affairs Committee reported without amendment H. R. 4748, to extend the leasing provisions of O. & C. and Coos Bay Lands Act to authorize leases to Ore. for recreational purposes (S. Rept. 375). p. 9229

14. DAM CONSTRUCTION. The Interior and Insular Affairs Committee reported without amendment S. 1185, to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of construction of a dam (S. Rept. 383). p. 9229

15. PUBLIC DEBT; FISCAL AFFAIRS. Received from Treasury a proposed bill "to facilitate management of the public debt"; to the Finance Committee. p. 9225

Sen. Bush defended the President's proposals on the debt and interest rates but stated that it is the "failure of Congress to do its plain duty" which has caused these proposals to be made, citing deficit financing, loss of "control of fiscal affairs" as examples of Congress' "failure." Sen. Johnson claimed that Republicans want "to raise interest rates ... let the consumer pay more ... let the banker get more." Sens. Symington, Kuchel, Scott, Humphrey, Gore, and Byrd, W. Va., discussed these points. pp. 9259-61, 9263-6, 9267

16. FOREIGN AFFAIRS. Received from the Comptroller General a report on a review of the proposed 1959 economic assistance program for China (Taiwan), Korea, and Vietnam under the mutual security program for that year. p. 9225

Sen. Wiley stated that his bill, S. 2080, to establish a National Economic Council for Security and Progress, would call "for a reappraisal of our overall program and for coordination on the highest level," and announced the addition of Sens. Moss and Scott as cosponsors. pp. 9237-8

Confirmed the nomination of C. Douglas Dillion to be Under Secretary of State (pp. 9289-21). Sen. Fulbright and others discussed Mr. Dillon's use of counterpart funds in Greece and other countries (pp. 9292-6, 9204-7, 9312).

Sen. Humphrey inserted an article, "Farm Surplus Bill Extension Vital," urging an extension of Public Law 480. pp. 9266-7

17. RECLAMATION. Sen. Langer inserted the North Dakota Bankers' Association's resolution urging Congress to approve the Garrison diversion project and appropriate the necessary funds for its construction. p. 9228

18. ELECTRIFICATION. Sen. Lausche inserted two resolutions from the American Public Power Association urging the Secretary of Interior to establish a Northeastern Power Administration to study the region's power resources and urging Interior to build transmission lines for Niagara power. p. 9228

19. BUDGET. Sen. Bush commended Senate action in staying within the budget limits on the Interior Appropriation bill, stated that he hoped this would continue to be the policy and inserted a First National City Bank letter urging a tax system that will allow for growth and for a pay as you go budget. pp. 9256-9

20. LEGISLATIVE BRANCH APPROPRIATIONS FOR 1960. A subcommittee of the Appropriations Committee voted to report to the full committee with amendments this bill, H. R. 7453. p. D452

ITEMS IN APPENDIX

21. FOREST PRODUCTS. Extension of remarks of Sen. Neuberger inserting an article discussing the prospects for expansion of the pulp industry in the Pacific northwest. pp. A4911-2

22. TEXTILES. Extension of remarks of Sen. Talmadge stating that "... the subsidized exportation of raw cotton and the indiscriminate importation of finished textile goods are jeopardizing the continued existence of the American textile industry ..." and inserting an article on this subject. p. A4914

23. FARM LABOR. Extension of remarks of Rep. McCormack including a statement on the problem of farmworkers and stating that "it describes conditions among farmworkers as 'one of the most serious economic and human problems in our Nation.'" pp. A4919-20

24. BUDGETING; APPROPRIATIONS. Extension of remarks of Sen. Lausche expressing concern that the legislation enacted by the 85th Cong. to provide for an accrued-expenditure review of appropriations is not being carried out and inserting an editorial, "Accounting Law Nullified." p. A4921

25. FARM PROGRAM. Rep. Berry inserted an editorial, "The Common Flight," which discusses the "opposite approaches" to the farm problem by the Farmers Union and the Farm Bureau. p. A4923

26. SURPLUS FOOD. Extension of remarks of Sen. Humphrey inserting Rep. McGovern's newsletter analyzing and urging enactment of his proposed food-for-peace bill. pp. A4923-4

27. CONSERVATION. Extension of remarks of Rep. Levering inserting an editorial recounting some of the history of the conservation movement and underscoring the need for continued programs. pp. A4926-7

28. PERSONNEL. Extension of remarks of Sen. Neuberger commending Rep. Porter for his efforts against extending the Government employee security program to jobs in a nonsensitive area and inserting an article, "Jones Deals Blow To Security Bill." p. A4927

29. WHEAT. Rep. Pirnie inserted an editorial, "Two Wrong Answers," critical of the proposed House and Senate wheat price support bills. p. A4933

30. WILDLIFE; RESEARCH. Rep. Dingell inserted an editorial favoring enactment of legislation to provide for adequate research into the effect of insecticides on wildlife. pp. A4934-5

Rep. Metcalf inserted an article, "The Irresponsible Poisoners." pp. A4942-3

31. WATER RESOURCES. Extension of remarks of Rep. Davis inserting Brig. Gen. Person's statement before the House Public Works Committee and stating that "it is one of the most thorough treatments of the water resource problem ..." pp. A4940-2

32. CREDIT UNIONS. Extension of remarks of Rep. Patman commending the "invaluable service" rendered by credit unions to their members and inserting an editorial, "No Federal Reserve System of Own Sought by Credit Unions." pp. A4945-6

Calendar No. 364

86TH CONGRESS
1st Session

SENATE

REPORT
No. 371

ADDING CERTAIN LANDS IN IDAHO TO THE BOISE AND PAYETTE NATIONAL FORESTS

JUNE 9, 1959.—Ordered to be printed

Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 2497]

The Committee on Interior and Insural Affairs, to whom was referred the bill (H.R. 2497) to add certain lands located in Idaho to the Boise and Payette National Forests, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The principal purposes of H.R. 2497 are (1) to modify the boundaries of the Boise and Payette National Forests, Idaho, to include about 2,400 acres of land acquired for the Cascade Reservoir of the Boise Federal reclamation project, and (2) to provide that the former owners of other surplus lands which were acquired for this reservoir (also about 2,400 acres) shall have a limited preference right to repurchase them when they are disposed of by the Government.

NEED

Cascade Reservoir is an attractive lake on the North Fork of the Payette River. The area has been subjected to uncontrolled use by recreationists. Sanitation, fire, and other hazards have resulted. It is within easy driving distance of Boise and other communities in southwestern Idaho and can be made a useful public recreation facility with little expenses. The lands transferred to the administrative jurisdiction of the Department of Agriculture by the bill can be more conveniently administered for this and other purposes in connection with the lands now in the Boise and Payette National Forests than they can be by the Department of the Interior. Until legislation

along the lines of H.R. 2497 is enacted, however, the Forest Service lacks authority to undertake necessary improvements which, it is estimated, will require the expenditure of about $75,000. Enactment of H.R. 2497 will also make these lands available for other land uses normal to national forests, including leases for individual cabin sites, if appropriate. Thus, administration of these Federal lands for their highest and best uses can be accomplished under a familiar set of laws and regulations and by an agency equipped to carry them out.

COST

Enactment of H.R. 2497 will not itself entail any expense to the Government. Sale of certain lands covered by the bill, on the other hand, will bring in some cash and thus reduce the cost of Cascade Reservoir.

ANALYSIS OF BILL

Sections 1, 2, and 3 of the bill describe the lands to be added to the Boise and Payette National Forests. These include such lands, if any, as may hereafter be acquired for Cascade Reservoir. The lands added to the forests are to be administered as are other lands to which the Weeks Act and its amendments are applicable.

Section 4, subsection (a), makes clear that the bill does not itself authorize acquisition of any additional lands and that it is not intended to affect existing rights. Subsection (b) directs the Secretary of Agriculture to make available to the Bureau of Reclamation any of the lands added to the Boise and Payette Forests which the Secretary of the Interior finds are needed for the reclamation project. Subsection (c) authorizes the Secretaries of the Interior and Agriculture to enter into agreements defining the responsibilities of their two departments with respect to the administration of the lands made available to the Bureau of Reclamation and with respect to accounting for and use of revenues derived from these lands. Ordinarily, the committee understands, revenues from the leasing of lands would be credited to the reclamation fund. In this case, however, the development will be undertaken at the expense of appropriations to the Forest Service and subsection (c) will permit the receipts to follow the course of those funds if the heads of the two departments concerned so agree. It is the understanding of the committee that proper adjustments will be made in the accounts of the Boise project to reflect the transfer of land to Forest Service jurisdiction, thus reducing the reimbursable cost of Cascade Reservoir and the amount to be repaid by its beneficiaries.

Section 5, subsection (a) directs the Secretary to list the lands acquired for Cascade Reservoir which are surplus to the needs of the project and are not included in the national forests by the other sections of the bill and to divide them into two classes: (A) those which are chiefly valuable for home, cabin, recreation, and business sites and (B) all other lands. Subsection (b) provides for the exchange of lands of either of these two classes for non-Federal lands of not less than approximately equal value situated outside the extended national forest boundaries and within 300 feet of the normal shoreline of Cascade Reservoir. The non-Federal lands to which this applies are

principally those over which a flowage easement for Cascade Reservoir exists. It has been found that flowage easements do not furnish all the protection and rights which are needed by the Government.

Subsection (c) provides for the sale of the remaining lands at not less than their fair market value, with a provision that those that are classified for home, cabin, recreation, and business sites shall not be sold in tracts of more than 5 acres. The initial offer to sell will be accompanied by a call for competitive bids, but if this fails to dispose of the lands the Secretary will be authorized to sell them in any other proper manner. Subsection (c) also gives a personal preference right of reacquisition to the former owner and to the surviving spouse of the former owner of a tract which is offered for sale. The preference-right holder will have to equal the highest competitive bid received unless this exceeds three times the appraised fair market value of the tract in question, in which case the latter will be the upset price for him. There is no limit on the number of tracts any one person may purchase, but in the case of lands classified for home, cabin, recreation, and business sites the preference right of a former owner extends to only one tract.

DISCUSSION

Committee consideration of H.R. 2497 raised several problems. The committee was concerned, first, with an apparent overacquisition of private lands for the Cascade Reservoir. The high-water elevation of the reservoir is 4,828 feet. At this elevation, the water surface is 26,500 acres. Yet the lands acquired in fee totaled over 35,000 acres, according to the annual histories of the Boise project on file in the Interior Department library. These lands were acquired during the years 1941 through 1950 at an average price of $33.50 per acre.

The committee is concerned with overacquisition, because it involves an undue burden on the Treasury and on the always limited appropriations made to support the reclamation program, because it takes private lands off the local tax rolls without necessity or justification, because it can result in a requirement that the project beneficiaries repay more than they ought to be required to repay, and because it is an abuse of the discretion which any general law permitting land acquisition in furtherance of authorized programs unavoidably places in the executive departments.

The committee is aware that there may have been a justification for what appears to have been an overacquisition that was not called to its attention. Many of those who would be most familiar with it, if it exists, have retired or died. But the explanations offered by the witnesses for the Department of the Interior were not convincing. Neither the necessity of acquiring land around the margin of the reservoir in order to control access to it and to prevent claims arising from potential erosion of lands remaining in private ownership nor the common practice of acquiring tracts conforming to the smallest legal subdivision lines nor the two of these put together satisfactorily explains an overage of 30 percent or more.

The most plausible explanation that was offered or that has occurred to the committee is that various owners, whose best lands in the river valley would be flooded, urged the Government purchasing agents to

acquire their entire holdings, including the less desirable and unneeded high lands. While the committee is aware of the desirability of reaching amicable settlements with landowners whose lands must, in whole or in part, be acquired by the Government and thus of avoiding condemnation actions wherever it is reasonable to do so, it is questionable whether sufficiently tight control was exercised in this instance or whether the advantages to the private seller and by way of promoting good will for the Cascade project were properly weighed against the disadvantages outlined above. The committee understands, however, that more rigid land acquisition standards have been put into effect by the Bureau of Reclamation in the meantime and, therefore, since the matter does not go directly to the merits of H.R. 2497, did not pursue it further.

The committee's second principal concern was with a group of problems centering around the desire of former owners to be given a repurchase preference with respect to lands to be sold. Three questions are involved in this: (1) Whether a former owner who had disposed of his entire interest at a fair price should be given any special consideration; (2) whether, if he should be given such consideration, it should extend to all of his former lands that are to be sold or only to some of them; and (3) what price he should be required to pay for those lands to which the preference extends.

The committee had little difficulty in arriving at an affirmative answer to the first of these. While it recognizes that a seller is not entitled to special consideration as a matter of right and that the general statutes give no such consideration, it also recognizes that there are sometimes values attached to landownership which the usual appraisal methods and the findings of juries cannot and ought not to take into account but which, if the land is to be disposed of, may properly be considered.

The answers to the second and third questions were influenced in large measure by the committee's recognition that, given the construction and location of Cascade Reservoir, both the value of the land and the use to which it can best be put have changed greatly since the time it was acquired by the Government. It was this and the belief that the benefits created by a public reservoir should not be limited to a few people that convinced the committee of the desirability of limiting the amount of land classified for home, cabin, business, and recreation sites which a former owner should be given a preference right to repurchase.

Before arriving at the formula the committee considered and rejected various other pricing formulas. It rejected a proposal that the former owner be permitted to repurchase at the same price he was paid because this ignores a very real increase in the value of the land caused by construction of Cascade Reservoir. It rejected a proposal that he be permitted to repurchase at present appraised value because this would place too great faith in the appraiser's art and ignore too completely the healthy and sometimes unexpected effects of competitive bidding. And it rejected a proposal that he be accorded a preference only if he was willing to match the highest bid because this would, in some instances at least, make the preference of little value and would eliminate all consideration of equity arising from former ownership. The committee therefore recommends the formula which it has adopted—a matching of the highest bid or three times the appraised value, whichever is less, but in no event less than

the appraised value—as a reasonable solution to this problem. This formula is an adaptation to present circumstances of the one found in section 14 of the Taylor Grazing Act (act of June 28, 1934, 48 Stat. 1274, 43 U.S.C. 1171).

DEPARTMENTAL REPORTS

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 12, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: This responds to your request for the views of this Department on H.R. 2497, a bill to add certain lands located in Idaho to the Boise and Payette National Forests.

We would not object to the enactment of this bill.

H.R. 2497 would extend the boundaries of the Boise National Forest and the Payette National Forest to include certain described lands located on the west side of Cascade Reservoir in the State of Idaho. These lands were acquired by the Bureau of Reclamation of this Department in connection with the construction of Cascade Reservoir, a feature of the Boise Federal reclamation project. Under the provisions of the bill the Secretary of Agriculture would be required to make available to the Bureau of Reclamation such lands as the Secretary of the Interior finds to be needed for project purposes.

Section 5 of the bill would authorize this Department to sell any lands acquired in connection with the construction of Cascade Dam and Reservoir, other than those lands which would be included within the boundaries of the two national forests, which might be found to be surplus to project needs. Local groups have indicated that the return of such lands to private ownership would facilitate community development and land use. We believe this to be a desirable objective, particularly since a large proportion of the land in Valley County, Idaho, is in Federal ownership. It may be pointed out, however, that it is expected there would be reserved to the United States an appropriate flowage easement in the sale of any such lands which might be flooded by a rise in the water level of the reservoir.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRED G. AANDAHL,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 12, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives.

DEAR CONGRESSMAN ASPINALL: This is in reply to your request of January 24, 1959, for the views of this Department of H.R. 2497, a bill to add certain lands located in Idaho to the Boise and Payette National Forests.

The Department of Agriculture recommends enactment of H.R. 2497.

The bill would extend the boundaries of the Boise and Payette National Forests in Idaho and lands embraced by such extensions, owned or hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project, would be added to and made parts of the respective national forests. In addition, such Federal lands as are within the present boundaries of the Boise National Forest would be made a part of that national forest. Federal lands added to the national forests by the act would be made subject to all laws, rules, and regulations applicable to lands acquired pursuant to the act of March 1, 1911 (36 Stat. 961), as amended.

The bill also would (1) declare that the purpose of the act shall not be construed to authorize the United States to acquire additional land nor to anywise affect existing rights to or in connection with the lands added to the forests; (2) direct the Secretary of Agriculture to make available to the Bureau of Reclamation of the Department of the Interior such of the lands added to the national forests as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project; (3) authorize the Secretaries of the two departments to enter into agreements regarding the administration of, and accounting for and use of revenues from, lands so made available to the Bureau of Reclamation; and (4) authorize the Secretary of the Interior to sell, under such terms and conditions as he deems desirable, any lands acquired in connection with the Cascade Reservoir reclamation project which in his judgment are surplus to the needs of the project and which are not added to the national forests by the bill.

Cascade Reservoir is formed by a dam in the North Fork of the Fayette River near the town of Cascade, Idaho. A small area of the Federal lands which would be added to the national forests is already within the present Boise National Forest boundary. The remainder is within two separate areas lying between the present forest boundaries and the west side of the reservoir, one being a narrow strip from one-quarter mile to 1 mile wide and the other a small block about a mile wide. These lands are partly inundated by the reservoir. Thus, federally owned lands to be added to the national forests total about 2,405 acres, of which about 1,409 acres are above the waterline when the reservoir is at its highest level, as follows:

	Approximate acreage	
	Above waterline	Below waterline
Within present boundary of Boise National Forest	144	
Outside present boundary of Boise National Forest	1,145	800
Outside present boundary of Fayette National Forest	120	196
Total	1,409	996

The remaining land within the national forest boundary extensions is nonfederally owned. Part of it is covered by flowage easements in favor of the United States in connection with the reservoir.

Enactment of the bill would not increase the acreage of lands in Federal ownership. The lands within the national forest boundary extensions include about 10 percent of the shoreline of the reservoir.

Much of the remainder of the shoreline is open range, pasture, or agricultural land and is not well-adapted to public use for recreation.

Cascade Reservoir forms an attractive lake in a scenic mountain setting. Its recreational potential and use thereof by the public can be expected to increase materially in the future. The lands to be added to the national forests are well-adapted to use and development for such public recreation activities as camping, picknicking, boating, and fishing. They are primarly forest lands bearing stands of timber consisting mainly of young growth ponderosa pine and Douglas-fir. Topography is gentle to moderate.

Shoreline areas within the proposed boundary extensions are being used by recreationists at present without adequate provisions for sanitation, cleanup, or fire protection. Such use constitutes a hazard to the adjoining national forests, which are more heavily forested and of rugged topography. As recreational use increases, the need will also increase for installation of fire protection and sanitation facilities, supplies of pure water, and other campground and picnicking facilities.

Funds appropriated for the national forests, however, are available only for use on or for protection of lands administered by the Forest Service. They cannot be used to develop or manage lands acquired for reclamation purposes by the Bureau of Reclamation. The lands in the boundary extensions are in close proximity to the national forest administrative personnel and fire protection installations. Thus, they can be easily administered and protected as part of the national forests.

A portion of the Federal lands within the proposed boundary extensions has been leased to private parties for grazing purposes. In addition, one parcel has been leased to the South Idaho Christian Missionary Society for conference ground purposes. Upon enactment of the bill, the Secretary of Agriculture would assume responsibility for administering such leases.

It is the interpretation of this Department that the language of section 4(a) would not preclude the making of desirable land exchanges within the extended national forest boundaries from time to time under other laws authorizing exchanges within national forests.

If the described lands are added to the national forests, the installation of needed improvements would involve the expenditure over a 2- or 3-year period of about $75,000. This expenditure would be financed out of the amount regularly budgeted in connection with Operation Outdoors without a request for additional appropriations in any particular year. No appreciable administrative costs would be involved.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 2497.

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Calendar No. 364

86TH CONGRESS
1ST SESSION

H. R. 2497

[Report No. 371]

IN THE SENATE OF THE UNITED STATES

MAY 5, 1959

Read twice and referred to the Committee on Interior and Insular Affairs

JUNE 9, 1959

Reported by Mr. O'MAHONEY, without amendment

AN ACT

To add certain lands located in Idaho to the Boise and Payette National Forests.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17; lots 1, 2, 3, and 4, the northwest quarter of the northeast

quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township

14 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast

quarter, the northwest quarter of the northeast quarter, and the northeast quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

(b) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

SEC. 5. (a) The Secretary of the Interior shall prepare lists of lands acquired for the Cascade Reservoir reclamation project which are not described in sections 1, 2, and 3 of this Act and which, in his judgment, are excess to the needs of the project. The lands so listed shall be divided into two classes: those which are now or are likely, within ten years, to become chiefly valuable as home, cabin, recreation, or business sites (hereinafter referred to as class A lands), and all other lands (hereinafter referred to as class

B lands). Lands of either class shall hereafter be sold or exchanged only in accordance with the provisions of this section.

(b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within three hundred feet of the shoreline established by the normal water surface elevation of four thousand eight hundred and twenty-eight feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.

(c) The Secretary may sell by competitive bidding, at not less than their appraised fair market value, lands of either class. Class A lands shall be sold in tracts of not more than five acres, with such reservations or dedications to public use of rights-of-way for roads, streets and public utilities and upon such terms and conditions as he may deem appropriate. The former owner of lands so offered for sale shall have a personal nontransferable preference right to reacquire, within thirty days after the highest bid is declared, any class B lands which were formerly owned by him and one tract of class A lands which were formerly owned by him at, in either case, a price equal to the highest bid received for such lands. But in no case shall the former owner be required to pay more than three times the appraised fair market value of the lands. Where the ownership of lands at the time of their acquisition

by the Government was in more than one person, and two or more such former owners assert a preference right for the same tract, the preference right applicants shall be given a period of thirty days in which to file a joint purchase application or otherwise to compose their conflict. If they fail to do so, the Secretary shall determine the order of preference among them by lot. Any lands remaining unsold after competitive bids have been solicited may be sold by the Secretary in such manner as he shall deem proper but at not less than their appraised fair market value. The Secretary may at any time withdraw from sale any unsold lands and reoffer them at a reappraised fair market value.

(d) As used in this section, the term "lands" includes interests in land, and the term "former owner" includes the surviving spouse of a deceased former owner.

Passed the House of Representatives May 4, 1959.

Attest: RALPH R. ROBERTS,

Clerk.

Calendar No. 364

86TH CONGRESS
1ST SESSION

H. R. 2497

[Report No. 371]

AN ACT

To add certain lands located in Idaho to the Boise and Payette National Forests.

MAY 5, 1959

Read twice and referred to the Committee on Interior and Insular Affairs

JUNE 9, 1959

Reported without amendment

15. FORESTRY. Passed over, at the request of Sen. Keating, H. R. 2497, to add certain lands located in Idaho to the Boise and Payette National Forests. p. 9591

Sen. Murray urged additional appropriations for the national forests, stated that 20 Senators had signed letters "to the Secretary of Agriculture and Director of the Bureau of the Budget endorsing the recommendation of the Committee on Appropriations that a budget request be submitted during this session of Congress to implement the program for the national forests during fiscal year 1960," and inserted a copy of the letter to the Budget Bureau. p. 9577

16. SURPLUS FOOD. Sen. Humphrey inserted and commended a pamphlet from the National Council of Christian Churches, "Share Our Surpluses," reviewing activities of churches in distributing surplus foods to needy persons overseas. p. 9603

17. POULTRY; FARM LOANS. Sen. Humphrey inserted a resolution of the Northeastern Assoc. of State Departments of Agriculture urging this Department to increase the purchases of dried eggs and poultry for the school lunch program, and extension of the authority of FHA for refinancing farm loans. p. 9603

18. LEGISLATIVE PROGRAM. Sen. Johnson announced that it is expected that the Appropriations Committee will report several appropriation bills for consideration this week, June 15-19. pp. 9571, 9598

19. ADJOURNED until Mon., June 15. p. 9643

HOUSE

20. WHEAT. Passed, 188 to 177, with amendments H. R. 7246, the wheat bill. Passed S. 1968, a similar bill, after amending the bill to substitute the provisions of H. R. 7246, as passed. H. R. 7246 was laid on the table (9644-51, 9687, A5078). Conferees were appointed in both Houses (9633-4, 9651).

Rejected, 141 to 224, a motion by Rep. Belcher to recommit the bill to the Agriculture Committee with instructions to insert the provisions of his bill, H. R. 7611 (9645-7).

21. INTERIOR APPROPRIATION BILL FOR 1960. Received the conference report on this bill, H. R. 5915 (H. Rept. 545). (pp. 9700-2, 9703) See the end of this digest for information regarding Forest Service items, and excerpts from the conference report.

22. EXPERIMENT STATIONS. Received from this Department a report on the State agricultural experiment stations for 1958, pursuant to sec. 7 of the Hatch Act, as amended. p. 9702

23. PRICES; WAGES. The Government Operations Committee reported without amendment H. R. 6263, to amend the Employment Act of 1946 to provide for its more effective administration, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability (H. Rept. 539). p. 9703

24. PUBLIC WORKS. The Public Works Committee reported without amendment H. R. 7634, to authorize the construction, repair, and preservation of certain public works on rivers and harbors for navigation and flood control (H. Rept. 541). p. 9703

25. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not report) with "technical amendment," H. R. 5178, to provide for health and medical services for civilian employees in Government service overseas and their dependents. p. D472

26. FARM PROGRAM. Received from the Rhode Island Legislature a memorial requesting that a reexamination of the "merits of the farm support program" with a view to aid the consumer and eliminate wasteful and expensive farm surpluses and urging a $50,000 ceiling on price support benefits. p. 9703

27. PAYMENTS IN LIEU OF TAXES. Received from the Maryland Legislature a memorial urging favorable action on S. 910, to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property. p. 9703

28. LEGISLATIVE PROGRAM. Rep. McCormack announced that on Mon. the Consent Calendar will be called and that after that the House will consider H. R. 7500 the Mutual Security authorization bill, and H. R. 3, rules of interpretation concerning the effect of Federal laws on State laws. p. 9651

29. ADJOURNED until Mon., June 15. p. 9702

ITEMS IN APPENDIX

30. FARM PROGRAM. Rep. Lane inserted an editorial which suggests that "Congress should be required to face the fact and take more effective action" to provide a workable farm program. pp. A5047-8

Sen. Murray commended and inserted an address by Clay L. Cochran, AFL-CIO, "Full Employment and the Good Life," favoring a "carefully worked out system of production payments," and a "direct food distribution and/or food-stamp program." pp. A5048-9

Extension of remarks of Rep. Dague stating that "I am entitled to point out that I have consistently opposed the continuance of high supports ...," and inserting an editorial, "Let Congress Face It." pp. A5071-2

Rep. Rogers, Fla., inserted the results of his questionnaire including the farm price support program. p. A5083

31. PUBLIC DEBT. Extension of remarks of Sen. Proxmire inserting an article, "Higher Interest Rates and New Debt Limit to Pay Them," "protesting indignantly the President's high interest rate request." pp. A5049-50

Rep. Alger inserted Maurice H. Stans', Director of the Bureau of the Budget, statement before the H. Ways and Means Committee on the statutory debt limit. p. A5093

32. WATER RESOURCES. Extension of remarks of Sen. Yarborough inserting an editorial, "Waste of Water Can Lead to Real Trouble for United States of America." pp. A5051-2

33. PERSONNEL. Extension of remarks of Rep. Foley inserting an editorial, "Uncle Sam and His Workers," discussing employee-management relations by Federal employees and stating that "shocking conditions reminiscent of a by-gone era in American labor history are the day-to-day experience of thousands of employees of the Federal Government." pp. A5057-9

34. 4-H CLUBS. Extension of remarks of Rep. Edmondson commending the 4-H Club program and giving some background information on the 29th National 4-H Conference which began June 13. p. A5068

BILL PASSED OVER

(The bill (H.R. 2497) to add certain lands located in Idaho to the Boise and Payette National Forests was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KEATING. Mr. President, let the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

DISCLAIMER OF INTEREST OF UNITED STATES IN CERTAIN LANDS IN COLORADO

The bill (H.R. 3454) to disclaim any interest on the part of the United States in certain lands in the State of Colorado, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

REVESTED RAILROAD GRANT LANDS IN OREGON AND CALIFORNIA

The bill (H.R. 3495) to direct the Secretary of the Interior to administer certain acquired lands as revested Oregon and California railroad grant lands was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARIES OF THE KINGS MOUNTAIN MILITARY PARK, S.C.

The bill (H.R. 3496) to revise the boundaries of the Kings Mountain Military Park, S.C., and to authorize the procurement and exchange of lands; and for other purposes was considered, ordered to a third reading, read the third time, and passed.

LEASING PROVISIONS TO CERTAIN LANDS IN OREGON

The bill (H.R. 4748) to extend the leasing provisions of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869–869–3) to certain lands in Oregon and for other purposes was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARIES OF MONTEZUMA CASTLE NATIONAL MONUMENT, ARIZ.

The bill (H.R. 5262) to revise the boundaries of the Montezuma Castle National Monument, Ariz., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARIES OF WRIGHT BROTHERS NATIONAL MEMORIAL, N.C.

The bill (H.R. 5488) to revise the boundaries of Wright Brothers National Memorial, N.C., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS IN NAVAJO COUNTY, ARIZ.

The Senate proceeded to consider the bill (S. 220) to direct the Secretary of the Interior to convey certain lands in Navajo County, Ariz., which had been reported from the Committee on Interior and Insular Affairs, with amendments, in line 4, after the word "to", where it appears the second time, to insert "the successors in interest of"; in line 5, after the name "Hansen", to insert "deceased"; and in the same line, after the amendment just above stated, to strike out "and to his successors and assigns,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the successors in interest of Neils H. Hansen, deceased, all of the right, title, and interest of the United States in and to the lands conveyed to said Neils S. Hansen by Mrs. C. E. Amos and W. N. Amos, her husband, by a deed dated January 4, 1906, which was recorded on January 10, 1906, on page 265, book 4 of deeds, official records of the county of Navajo, State of Arizona.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AUTHORIZATION OF THE BOY SCOUTS OF AMERICA TO ERECT A MEMORIAL ON PUBLIC GROUNDS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 602) authorizing the Boy Scouts of America to erect a memorial on public grounds in the District of Columbia to honor the members and leaders of such organization, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 8, after the word "section", to insert a colon and "*Provided,* That if the site selected on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Boy Scouts of America, Incorporated, a corporation chartered by the Congress of the United States, is authorized to erect a memorial on public grounds in the District of Columbia, the purpose of which will be to honor the past and present members and leaders of such organization and to commemorate the fifty years of outstanding service to our Nation performed by the members and leaders of such organization.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the Commission on Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia upon which may be erected the memorial authorized in the first section: *Provided,* That if the site selected on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Planning Commission. Such memorial shall be erected without expense to the United States.

SEC. 3. The authority granted in the first section of this Act shall cease to exist unless (1) the erection of the memorial authorized by such section is commenced within five years from the date of the enactment of this Act, and (2) the Secretary of the Interior finds that, prior to the commencement of the erection of such memorial, sufficient funds are available to insure its completion.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1214) to amend the act of March 11, 1948 (62 Stat. 78) relating to the establishment of the De Soto National Memorial, in the State of Florida, was announced as next in order.

Mr. HOLLAND. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (S. 822) to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes, was announced as next in order.

Mr. ENGLE. Mr. President, by request I ask that the bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

REVISION OF ELIGIBILITY REQUIREMENTS FOR BURIAL IN NATIONAL CEMETERIES

The bill (S. 825) to revise eligibility requirements for burial in national cemeteries, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 14, 1948 (ch. 289, 62 Stat. 234), is amended to read as follows:

"(a) Under such regulations as the Secretary of the Army may, with the approval of the Secretary of Defense, prescribe, the remains of the following persons may be buried in national cemeteries:

"(1) Any member or former member of the Armed Forces who served on active duty (other than for training) and whose last such service terminated honorably.

"(2) Any member of a reserve component of the Armed Forces, and any member of the Army National Guard or the Air Na-

tional Guard, whose death occurs under honorable conditions while he is—

"(A) on active duty for training, or performing full-time service under section 316, 503, 504, or 505 of title 32, United States Code;

"(B) performing authorized travel to or from that duty or service;

"(C) on authorized inactive duty training, including training performed as a member of the Army National Guard or the Air National Guard; or

"(D) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

"(i) on that duty or service;

"(ii) performing that travel or inactive duty training; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(3) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

"(A) attending an authorized training camp or on an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(4) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

"(5) The wife, husband, surviving spouse, minor child, and, in the discretion of the Secretary of the Army, unmarried adult child of any of the persons listed in clauses (1)–(4).

"(b) The remains of any person listed in subsection (a)(5) may, in the discretion of the Secretary of the Army, be removed from a national cemetery proper and interred in the post section of a national cemetery or in a post cemetery if, upon death, the related person named in subsection (a)(1)–(4) is not buried in the same or an adjoining gravesite. However, the remains of a person listed in subsection (a)(5) may not be removed from a national cemetery proper if the related person is—

"(1) lost or buried at sea;

"(2) officially determined to be permanently absent in a status of missing or missing in action;

"(3) officially determined to be dead for the purpose of terminating his status of missing or missing in action; or

"(4) one whose remains have not been recovered."

PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA

The bill (S. 1135) to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to further the policy set forth in the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461–467), by specifically providing for the preservation of historical and archeological data (including relics and specimens) which might otherwise be irreparably lost or destroyed as the result of flooding, the building of access roads, the erection of workmen's communities, the relocation of railroads and highways, and other alterations of the terrain caused by the construction of a dam by any agency of the United States, or by any private person or corporation holding a license issued by any such agency.

SEC. 2. (a) Before any agency of the United States shall undertake the construction of a dam, or issue a license to any private individual or corporation for the construction of a dam, it shall give written notice to the Secretary of the Interior setting forth the site of the proposed dam and the approximate area to be flooded and otherwise changed if such construction is undertaken.

(b) Upon receipt of any notice, as provided in subsection (a), the Secretary of the Interior (hereinafter referred to as the "Secretary"), shall cause a survey to be made of the area proposed to be flooded to ascertain whether such area contains historical and archeological data (including relics and specimens) which should be preserved in the public interest. Any such survey shall be conducted as expeditiously as possible. If, as a result of any such survey, the Secretary shall determine (1) that such data exists in such area, (2) that such data has exceptional historical or archeological significance, and should be collected and preserved in the public interest, and (3) that it is feasible to collect and preserve such data, he shall cause the necessary work to be performed in such area to collect and preserve such data. All such work shall be performed as expeditiously as possible.

(c) The Secretary shall keep the instigating agency notified at all times of the progress of any survey made under this Act, or of any work undertaken as a result of such survey, in order that there will be as little disruption or delay as possible in the carrying out of the functions of such agency.

(d) A survey similar to that provided for by section (b) of this section and the work required to be performed as a result thereof shall so far as practicable also be undertaken in connection with any dam the construction of which has been heretofore authorized by any agency of the United States, or by any private person or corporation holding a license issued by any such agency.

(e) The Secretary shall consult with any interested Federal and State agencies, educational and scientific organizations, and private institutions and qualified individuals, with a view to determining the ownership of and the most appropriate repository for any relics and specimens recovered as a result of any work performed as provided for in this section.

SEC. 3. In the administration of this Act, the Secretary may—

(1) enter into contracts or make cooperative agreements with any Federal or State agency, any educational or scientific organization, or any institution, corporation, association, or qualified individual; and

(2) procure the temporary or intermittent services of experts or consultants or organizations thereof as provided in section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and

(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporations holding a license issued by an agency of the United States for the construction of a dam or other type of water or power control project.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

PROVISION OF HEADQUARTERS SITE FOR MOUNT RAINIER NATIONAL PARK

The bill (S. 1358) to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash., and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to apply the present headquarters site in Mount Rainier National Park to public use for which it is more suitable and to provide an efficient operating base for the park, the Secretary of the Interior is authorized to provide a park headquarters in the general vicinity of Ashford, Washington, and for such purpose to acquire in this vicinity, by such means as he may deem to be in the public interest, not more than three hundred acres of land, or interest therein.

SEC. 2. The headquarters site provided pursuant to this Act shall constitute a part of Mount Rainier National Park and be administered in accordance with the laws applicable thereto.

BILLS PASSED OVER

The bill (S. 990) to authorize the use of Great Lakes vessels on the oceans was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2094) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KEATING. Mr. President, over.

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO SOPHRONIA SMILEY DELANEY

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The clerk will state the first measure passed to the foot of the calendar.

The LEGISLATIVE CLERK. A bill (S. 6), to provide for the conveyance of certain real property of the United States to Sophronia Smiley Delaney and her sons.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I wish to say that S. 6 authorizes the conveyance of certain real property of the United States to

July 6, 1959

Passed over at the request of Sen. Keating S. 1508, to provide for economic regulation of the Alaska Railroad under the Interstate Commerce Act. p. 11529

Passed over at the request of Sen. Bartlett S. 1789, to amend the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply. p. 11531

11. FORESTRY. Passed without amendment H. R. 2497, to add certain lands located in Idaho to Boise and Payette National Forests. This bill will now be sent to the President. p. 11523

Sen. Murray inserted an editorial supporting the enactment of a Youth Conservation Corps bill. p. 11512

12. COUNTRY LIFE. Sen. Wiley inserted an editorial and several letters from county agricultural agents favoring the enactment of S. 265, to establish a Country Life Commission. p. 11517

13. SCIENCE. Passed over at the request of Sen. Bartlett S. 1851, to provide for the establishment of a commission on a Department of Science and Technology. p. 11526

14. MONOPOLIES. Passed over at the request of Sen. Keating S. 716, to authorize the Attorney General to compel the production of documentary evidence required in civil investigations for the enforcement of the antitrust laws. p. 11531.

15. ELECTRIFICATION. Passed over at the request of Sen. Bartlett H. R. 3460, the TVA self-financing bill. p. 11536

16. LANDS. Passed over at the request of Sen. Bartlett S. 1617, to provide for the adjustment of the legislative jurisdiction exercised by the U. S. over lands in the several States used for Federal purposes. p. 11526

Received from Interior a proposed bill "to donate to certain Indian tribes some submarginal lands of the United States and to make such lands parts of the reservations involved. p. 11510

17. AGRICULTURAL RESEARCH. Received from the Nebraska Legislature a resolution requesting Congress to establish a laboratory at the University of Nebraska, College of Agriculture for the purpose of doing basic and applied research on problems concerned with finding new uses for agricultural products. p. 11510

18. EDUCATION. Received from the Secretary of State a report on the educational exchange program for the calendar year 1958. p. 11510

Sen. Yarborough commended the action of the Labor and Public Welfare Committee in voting to report S. 1138, to provide for readjustment assistance to post-Korean war veterans, stated that the bill as amended "would include allowances for educational and vocational training, and eligibility for home and farm loan guarantees," and inserted a statement of the National Farmers Union president terming the bill "one of the most constructive actions ... taken to help get young people established in the business of farming." p. 11521

19. INFLATION; BUDGET. Sen. Proxmire stated that "a Government deficit does tend to drive up prices," that "neither this Congress nor any element within it favors an unbalanced budget," and inserted an article on the subject. pp. 11513-4

20. LEGISLATIVE PROGRAM. Sen. Morse announced that the Senate would probably be in session late tonight (July 7) to consider further S. 1451, the mutual security authorization bill for 1959. p. 11567

ITEMS IN APPENDIX

21. FARM MACHINERY. Sen. Proxmire inserted an article paying tribute to Floyd Duffee for his farm machinery inventories. p. A5769

22. FORESTS. Extension of remarks of Sen. Neuberger inserting an editorial, "Resources We Can Have Forever," and stating that it discusses "the basic importance of sustained yield management of our timber resources." pp. A5771-2

23. FARM PROGRAM. Rep. Church inserted the results of an opinion poll, including questions on the price support program. pp. A5772-3

24. CONSERVATION. Sen. Neuberger inserted various resolutions supporting the establishment of a Youth Conservation Corps. pp. A5773-4

25. SURPLUS COMMODITIES. Extension of remarks of Rep. Schwengel inserting an article by Henry A. Wallace, "Our Farm Surpluses Can Be A Blessing," and stating that "it presents a fair picture of our surplus problem and gives proper credit to the administration for its efforts under Public Law 480 to reduce these surpluses ..." pp. A5775-6

26. FOOD; ATOMIC FALLOUT. Extension of remarks of Sen. Wiley discussing the dangers of radio active fallout in foods and inserting an article, "Milk Safe From Atomic Fallout." pp. A5779-80

27. COTTON. Extension of remarks of Rep. Huddleston inserting a letter received by the Asst. Secretary of Commerce pointing up "the great need for relief from many adverse conditions threatening our American Cotton industry today." pp. A5791-3

28. MEAT GRADING. Extension of remarks of Rep. Dixon inserting a letter emphasizing the "desirability" of suspending the grading of lambs by this Department. pp. A5795-6

29. RECLAMATION. Various insertions urging appropriations for the Garrison diversion unit. pp. A5777, A5796-7, A5798-9

BILLS INTRODUCED

30. SOIL BANK. H. R. 8091, by Rep. Brewster, to provide for the termination of the conservation reserve program under the Soil Bank Act; to Agriculture Committee.

31. PERSONNEL. H. R. 8100, by Rep. Foley, to amend the Civil Service Retirement Act to provide for the adjustment of inequities; to Post Office and Civil Service Committee.

32. EDUCATION. H. R. 8101, by Rep. Fulton, to promote the welfare of the people by authorizing the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education; to Education and Labor Committee.

33. SCHOOL LUNCH. H. R. 8104, by Rep. Johnson, Wis., to amend the National School Lunch Act to transfer the administration of that act to the Secretary of Health, Education, and Welfare; to Education and Labor Committee. Remarks of author. p. 11609

What is happening is this:

The Castro regime is showing no sign of giving the Cuban people an opportunity to elect representative, constitutional government; it is showing every evidence of postponing it indefinitely.

It is pursuing economic policies which can have no other effect than to aggravate already massive unemployment, lower agricultural productivity and destroy Cuba's credit at a time when it desperately needs capital investmeent.

It is nationalizing large land holdings (which is its right) but is doing it without providing proper indemnification to Cuban or non-Cuban owners (which isn't its right) and without providing any judicial review.

Premier Castro is continuing to attack the west, excoriate the United States and heap abuse upon the democratic leaders of other Latin American Republics like Romulo Betancourt of Venezuela and Jose Figueres of Costa Rica who are two of the most dedicated democratic opponents of communism.

Mr. Castro, affirming he is not a Communist—and most observers agree that he is not—is proving unable to fend off the Communist infiltrators who, after once supporting Batista, are now supporting the Castro regime for two reasons: It is doing its best to stir wide antipathy to the United States, it is creating conditions which they believe will make a Communist takeover attainable.

And now comes the resignation of the Chief of Cuba's Air Force, Maj. Pedro L. Diaz Lanz, who states that his authority was being curtailed because he stood out against Communist influence in the armed services.

There is no doubt, of course, that large social and land reforms are needed in Cuba and numerous other Latin American countries. But if these reforms are carried out in the manner Preimer Castro has begun them, the end result is to throw away both reform and democratic government.

I doubt if either the Congress or the country yet appreciates the full calamity which could flow from the foreseeable—but, perhaps still, avertible—events in Cuba. It seems to me that an immediately useful step would be for Under Secretary of State Douglas Dillon to go to Havana to make a final on-the-spot effort to arrest the trend and for that purpose to take with him representative of the Senate and House Committees on Foreign affairs.

CALL OF THE CALENDAR

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Under the unanimous-consent agreement of last Thursday, the Senate will proceed to the consideration of measures on the calendar to which there is no objection, commencing with order No. 95.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS AND BILLS PASSED OVER

Mr. BARTLETT. Mr. President, I ask unanimous consent that the call of the calendar commence with order No. 364.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska? The Chair hears none, and it is so ordered.

The clerk will state the first measure to be considered.

ADDITION OF CERTAIN LANDS TO THE BOISE AND PAYETTE NATIONAL FORESTS

The bill (H.R. 2497) to add certain lands located in Idaho to the Boise and Payette National Forests was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF DE SOTO NATIONAL MEMORIAL IN FLORIDA

The Senate proceeded to consider the bill (S. 1214) to amend the act of March 11, 1948 (62 Stat. 78) relating to the establishment of the De Soto National Memorial, in the State of Florida, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 4, after the word "use", to insert "up to $10,000 of", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 11, 1948 (62 Stat. 78), relating to the establishment of De Soto National Memorial, Florida, as amended by the Act of August 21, 1950 (64 Stat. 469), is hereby amended as follows:

A. By striking from section 1 of the Act the words "twenty-five", and by substituting therefor the word "thirty".

B. By revising section 3 of the said Act, as amended, to read as follows:

"SEC. 3. The Secretary of the Interior, in acquiring lands for the Memorial, is authorized to use up to $10,000 of any funds now or hereafter made available to acquire lands for the national park system."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

USE OF GREAT LAKES VESSELS ON THE OCEANS

The bill (S. 990) to authorize the use of Great Lakes vessels on the oceans, was announced as next in order.

Mr. KEATING. Over, Mr. President, by request.

The PRESIDING OFFICER. The bill will be passed over.

BORISLAV PETROVICH

The bill (S. 506) for the relief of Borislav Petrovich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Borislav Petrovich shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

SIRVART KASABIAN

The bill (S. 1241) for the relief of Sirvart Kasabian was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sirvart Kasabian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

SALIM MENASHI ELIAHOO REUBEN

The bill (S. 1297) for the relief of Salim Menashi Eliahoo Reuben was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 203(a)(3) and 205 of the Immigration and Nationality Act, Salim Menashi Eliahoo Reuben shall be held and considered to be the minor alien child of Fahima E. Reuben, an alien lawfully admitted for permanent residence.

MRS. ERIKA ELFRIEDE IDA WARD

The bill (S. 1601) for the relief of Mrs. Erika Elfriede Ida Ward was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(4) of the Immigration and Nationality Act, Mrs. Erika Elfriede Ida Ward may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knoweledge prior to the enactment of this Act: *And provided further,* That unless the beneficiary is entitled to care under the Dependents' Medical Care Act, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

MATILDA KOLICH

The bill (S. 1613) for the relief of Matilda Kolich was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Matilda Kolich, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Vid A. Kolich, citizens of the United States: *Provided,* That the natural parents of Matilda Kolich, shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATING TO PENITENTIARY IMPRISONMENTS

The bill (S. 1647) to amend section 4083, title 18, United States Code, relating to penitentiary imprisonments was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4083, title 18, United States Code, relating to penitentiary imprisonment, is amended to read as follows:

"§ 4083. Penitentiary imprisonment; consent

"Persons convicted of offenses against the United States or by courts-martial punishable by imprisonment for more than one year may be confined in any United States penitentiary.

"A sentence for an offense punishable by imprisonment for one year or less shall not be served in a penitentiary without the consent of the defendant."

YUKIE ARITA HALE

The Senate proceeded to consider the bill (S. 1369) for the relief of Yukie Arita Hale, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the words "United States", to insert a colon and "*Provided,* That no natural parent of Yukie Arita Hale, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act." so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27) and 205 of the Immigration and Nationality Act, Yukie Arita Hale shall be held and considered to be the natural-born alien child of Chief Warrant Officer Nile Hale and Ruth E. Hale, citizens of the United States: *Provided,* That no natural parent of Yukie Arita Hale, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AGOSTINO ARESCO

The Senate proceeded to consider the bill (S. 1430) for the relief of Agostino Aresco, which had been reported from the Committee on the Judiciary, with amendments, in line 5, after the word "be", to insert "issued a visa and be", in line 7, after the word "Act", to insert "*Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of paragraph (1) of section 212(a) of the Immigration and Nationality Act, Agostino Aresco may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act. This Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HO RIM YOON

The Senate proceeded to consider the bill (S. 1533) for the relief of Ho Rim Yoon, which had been reported from the Committee on the Judiciary, with an amendment, at the beginning of line 5, to insert "Holsman", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Ho Rim Yoon Holsman shall be held and considered to be the natural-born alien child of Noal and Helen Holsman, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Ho Rim Yoon Holsman."

ADMISSION OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H.J. Res. 323) to facilitate the admission into the United States of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 3, after line 12, to strike out:

SEC. 6. For the purposes of the Immigration and Nationality Act, Lee Kuhn Wui shall be deemed to be a nonquota immigrant.

At the beginning of line 16, to change the section number from "7" to "6"; at the beginning of line 24, to change the section number from "8" to "7"; on page 4, at the beginning of line 4, to change the section number from "9" to "8"; at the beginning of line 12, to change the section number from "10" to "9"; at the beginning of line 20, to change the section number from "11" to "10"; on page 5, at the beginning of line 4, to change the section number from "12" to "11"; at the beginning of line 8, to change the section number from "13" to "12"; at the beginning of line 12, to change the section number from "14" to "13"; after line 16, to strike out:

SEC. 15. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Yoko Kawamura shall be held and considered to be the natural born alien minor child of Mr. and Mrs. Donat Beland, citizens of the United States.

At the beginning of line 22, to change the section number from "16" to "14"; and on page 6, after line 4, to strike out:

SEC. 17. For the purposes of the Immigration and Nationality Act, Makoto Yabusaki shall be deemed to be a nonquota immigrant.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

"GRANDFATHER" RIGHTS FOR MOTOR CARRIERS AND FREIGHT FORWARDERS IN ALASKA

The Senate proceeded to consider the bill (S. 1509) to amend the Interstate Commerce Act as amended, to provide "grandfather" rights for certain motor carriers and freight forwarders in Alaska, and for other purposes, which had been reported from the Committee on Interstate and Foreign Commerce, with amendments, on page 2, line 8, after the word "on", to strike out "August 26, 1958" and insert "May 15, 1958"; on page 3, line 7, after the word "before", to strike out "July 1, 1959" and insert "December 31, 1959"; in line 14, after the word "as", to strike out "may" and insert "shall"; at the beginning of line 17, to strike out "August 26, 1958" and insert "May 15, 1958"; on page 4, line 7, after the word "before", to strike out "July 1, 1959" and insert "December 31, 1959: *Provided, however,* That common carriers of passengers by motor vehicle shall as a condition precedent to the establishment of rights hereunder show compliance with the applicable acts of the Territory of Alaska, and the rules and regulations of the Alaska Bus Commission."; on page 5, line 5, after the word "on", to strike out "August 26, 1958" and insert "May 15, 1958"; on page 6, line 2, after the word "before", to strike out "July 1, 1959" and insert "December 31, 1959"; in line 9, after the word "as", to strike out "may" and insert "shall"; at the beginning of line 12, to strike out "August 26, 1958" and insert "May 15, 1958"; in line 25, after the word "before", to strike out "July 1, 1959" and insert "December 31, 1959"; on page 8, line 2, after the word "on", to strike out "August 26, 1958" and insert "May 15, 1958"; in line 16, after the word "before", to strike out "July 1, 1959" and insert "December 31, 1959"; on page 9, line 4, after the word "on", to strike out "August 26, 1958" and insert "May 15, 1958"; in line 16, after the word "before", to strike out "July 1, 1959" and insert "December 31, 1959"; on page 10, line 5, after the word "was", to strike out "in operation, on August 26, 1958, as a freight forwarder in interstate or foreign commerce" and insert "engaged in service on May 15, 1958,"; in line 9, after the name "Alaska", to strike out "(other than a person whose operations to, from, and within Alaska are subject to regulation by the Federal Maritime Board as a common carrier by water under the Shipping Act of 1916, as amended, and the Intercoastal Shipping Act of 1933, as amended, but whose operations would be those of freight forwarder under the Interstate Commerce Act)" and insert "which service either would have been subject to this part or which, in conjunction with the services of other carriers, resulted in the transportation of property between such places whether or not all of such transportation would have been service sub-

Public Law 86-92
86th Congress, H. R. 2497
July 17, 1959

AN ACT

73 Stat. 218.

To add certain lands located in Idaho to the Boise and Payette National Forests.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Boise and Payette National Forests, Idaho. Addition of lands.

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17; lots 1, 2, 3, and 4, the northwest quarter of the northeast quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township 14 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Boundaries, extension.

Sec. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast quarter, the northwest quarter of the northeast quarter, and the northeast quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

16 USC 551, 562.

Restriction.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

Cascade Reservoir project.

(b) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

Agreements.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

Excess lands.

SEC. 5. (a) The Secretary of the Interior shall prepare lists of lands acquired for the Cascade Reservoir reclamation project which are not described in sections 1, 2, and 3 of this Act and which, in his judgment, are excess to the needs of the project. The lands so listed shall be divided into two classes: those which are now or are likely, within ten years, to become chiefly valuable as home, cabin, recreation, or business sites (hereinafter referred to as class A lands), and all other lands (hereinafter referred to as class B lands). Lands of either class shall hereafter be sold or exchanged only in accordance with the provisions of this section.

(b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within three hundred feet of the shoreline established by the normal water surface elevation of four thousand eight hundred and twenty-eight feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.

Sale of lands.

(c) The Secretary may sell by competitive bidding, at not less than their appraised fair market value, lands of either class. Class A lands shall be sold in tracts of not more than five acres, with such reservations or dedications to public use of rights-of-way for roads, streets and public utilities and upon such terms and conditions as he may deem appropriate. The former owner of lands so offered for sale shall have a personal nontransferable preference right to reacquire, within thirty days after the highest bid is declared, any class B lands which were formerly owned by him and one tract of class A lands which were formerly owned by him at, in either case, a price equal to the highest bid received for such lands. But in no case shall the former owner be required to pay more than three times the ap-

Limitation.

praised fair market value of the lands. Where the ownership of lands at the time of their acquisition by the Government was in more than one person, and two or more such former owners assert a preference right for the same tract, the preference right applicants shall be given a period of thirty days in which to file a joint purchase application or otherwise to compose their conflict. If they fail to do so, the Secretary shall determine the order of preference among them by lot. Any lands remaining unsold after competitive bids have been solicited may be sold by the Secretary in such manner as he shall deem proper but at not less than their appraised fair market value. The Secretary may at any time withdraw from sale any unsold lands and reoffer them at a reappraised fair market value.

(d) As used in this section, the term "lands" includes interests in land, and the term "former owner" includes the surviving spouse of a deceased former owner. Definitions.

Approved July 17, 1959.

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